

*State of Louisiana*

***MUNICIPAL POLICE OFFICERS' SUPPLEMENTAL PAY  
BOARD MEETING***

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***MAY 28, 2020***

***10:00 a.m.***

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**Municipal Police Officers' Supplemental Pay**

**Board Meeting**

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**May 28, 2020**

**10:00 a.m.**

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**MEMBERS AND STAFF PRESENT:**

Bry Layrisson, Chairman

Ternisa Hutchinson

Candace Oby

Kay DeBenedetto

Paul Schexnayder, Esq.

Mark Campbell

Candy Diez

Stephanie Dodge

**ALSO PRESENT:**

Brandon DeCuir, Esq.

Joseph Hebert

Thomas Harrington, Chief of Police UNOPD

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1                   **Municipal Police Officers' Supplemental Pay Board Meeting**  
2   **May 28, 2020**

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4           **MR. LAYRISSON:**

5                   We'll call the May 28th, Municipal Police Officer Supplemental Pay Board,  
6           we'll call the meeting to order.

7                   The first item on the agenda -- well, roll call. Everyone is present?

8           **MS. HUTCHINSON:**

9                   Yes, sir.

10   **APPROVAL OF THE MINUTES**

11           **MR. LAYRISSON:**

12                   I need a motion to approve the minutes from the February 17th meeting. I  
13           need a motion.

14           **MS. HUTCHINSON:**

15                   I'll make a motion.

16           **MR. LAYRISSON:**

17                   We have a motion.

18           **MS. OBY:**

19                   I second it.

20           **MR. LAYRISSON:**

21                   She seconded it.

22                   All right. Motion -- the meeting -- the minutes from the last meeting have  
23           been approved.

24                   We do have one change we need to make sure that they spell the Chairman's  
25           last name correct, L-A-Y-R-I-S-S-O-N.

1 With that being said, we'll go on to new business.

2 The first item on the agenda is the University of New Orleans.

3 **MS. DEBENEDETTO:**

4 Kathy is going to go and get the gentlemen and bring them in.

5 (Off-the-record discussion.)

6 **NEW BUSINESS**

7 UNIVERSITY OF NEW ORLEANS

8 **MR. LAYRISSON:**

9 All right. Are you ready to go? Who would like to speak first?

10 **MR. DECUIR:**

11 Sure. I -- I'm here to speak on behalf of the University of New Orleans. Good  
12 morning. I'm Brandon DeCuir. I'm the counsel for the University of Louisiana System.  
13 One of the member institutions is the University of New Orleans.

14 Here, we presently have Chief Harrington, as well as Deputy -- did I get that right?

15 **MR. HEBERT:**

16 Lieutenant.

17 **MR. DECUIR:**

18 Lieutenant Hebert, both of the UNO Police Department.

19 I believe this issue has -- has presented to this Commission over a period of time,  
20 probably commencing all the way back to 2017. This issue first started with another  
21 university located in New Orleans. Southern University of New Orleans's Police  
22 Department was granted this supplemental pay based on the patrols, as well as based on  
23 fitting within the statute requirements as for what they were doing in conducting their  
24 activities, also combined with an MOU/CEA with the City of New Orleans and their  
25 police department as well.

1           The two universities are identically situated, such that they are both political  
2 subdivisions of the State, they're both situated in the city of New Orleans proper, and  
3 they're both entitled to the same type of supplemental pay that SUNO is currently  
4 receiving.

5           SUNO received an Attorney General's opinion indicating that such was valid back  
6 in 2018, I think is when that actual AG opinion came out, and then UNO was requested  
7 to go and pursue a similar AG opinion, although it was apples and apples and not even  
8 apples and oranges, but they went through the exercise and obtained an AG opinion,  
9 Attorney General opinion, that also stated the same in terms of analysis that UNO fits  
10 within the purview of this particular statute allowing for supplemental pay to the  
11 University of New Orleans Police Department.

12           So, today, we're here asking basically for that relief to be granted, such that the  
13 supplemental pay can be provided to these particular officers in discharging their duties.

14           I'll be happy to entertain any questions.

15           **MS. DEBENEDETTO:**

16           Let's ask one. Candance, Candace?

17           **MS. OBY:**

18           Yes, I'm here.

19           **MS. DEBENEDETTO:**

20           Were you able to hear that?

21           **MS. OBY:**

22           Yeah. I mean, I heard bits and pieces. It wasn't like exactly clear, but --

23           **MR. LAYRISSON:**

24           Candace, can you hear me?

25           **MS. OBY:**

1           Yeah, I can hear you.

2           **MR. LAYRISSON:**

3           Have they submitted current applications?

4           **MS. OBY:**

5           No. We don't have any applications.

6           **MR. LAYRISSON:**

7           Okay. Correct me if I'm wrong. I'm going to go over these two issues with them.

8           The two issues that we currently have is, number one, we haven't received current  
9 applications. Okay. We have them present.

10          The second issue that I have as Chairman is, as I look at this MOU, it is represented  
11 by Chief Michael Harrison, and UNO is represented by Gregg Lassen?

12          **MR. DECUIR:**

13          Lassen.

14          **MR. LAYRISSON:**

15          Lassen?

16          **MR. DECUIR:**

17          Yes.

18          **MR. LAYRISSON:**

19          Is Gregg still currently --

20          **MR. DECUIR:**

21          No. Gregg has left employment of the University of New Orleans.

22          **MR. LAYRISSON:**

23          Okay. So we need to get -- with these applications, we need to get the MOU  
24 updated with the proper individual from the University and his current --

25          **MR. DECUIR:**

1 I'm not sure it's going to work that way.

2 **MR. HARRINGTON:**

3 Can I --

4 **MR. DECUIR:**

5 Sure.

6 **MR. SCHEXNAYDER:**

7 I need to swear you in. I just want to swear y'all in so it's on the record.

8 (Witnesses sworn.)

9 **MR. HARRINGTON:**

10 Chief Thomas Harrington, UNOPD. Regardless of the MOU, we still patrol levees,  
11 and we still patrol -- the MOU is just a supplement. It has really nothing to do with --

12 **MR. LAYRISSON:**

13 I understand that.

14 **MR. HARRINGTON:**

15 -- our duties. So if we had an MOU or not, we would still be entitled to the same  
16 thing. So I -- I don't -- I mean, I don't know what else to say.

17 **MR. LAYRISSON:**

18 Well, the AG opinion clearly states that the reason y'all are -- would be eligible -- or  
19 could be eligible is based on the MOU. All we need is the current chief and the current  
20 representative from the university.

21 Now, even if we are to approve y'all, when will the funding be eligible? It's not in  
22 this fiscal year, correct?

23 **MS. DEBENEDETTO:**

24 Well, no. It -- the -- any eligibility of these from the effective date of the proper  
25 memorandum of understanding, and, of course, then it would -- the approval would



1 happen when we actually receive all of the information by the deadline to go for the  
2 next Board meeting. So the next Board meeting -- and correct me if I'm wrong, Candy,  
3 is --

4 **MS. DIEZ:**

5 August.

6 **MS. DEBENEDETTO:**

7 -- August, so we would be in a new fiscal year by then, so...

8 **MR. HARRINGTON:**

9 When we were here last time, they advised us, if this was approved, that they would  
10 give us back pay from the date that we came in 2017. So, if you'll look at your records,  
11 then, I mean, that's --

12 **MS. DEBENEDETTO:**

13 We will have to review those.

14 **MR. HARRINGTON:**

15 -- that's what they -- that's exactly what they told us.

16 **MR. LAYRISSON:**

17 Any back pay has to be done by Act 110 through the legislature.

18 **MR. HARRINGTON:**

19 Right. I'm just --

20 **MR. LAYRISSON:**

21 So the Board doesn't have the authority to do that. We could send it to Act 110,  
22 but --

23 **MS. DEBENEDETTO:**

24 Well, then the approval date though would not --

25 **MS. HUTCHINSON:**

1           When SUNO was -- they finally got eligibility and they were being approved, they  
2 did not get back pay. The Joint Legislative Committee on the budget is who has to  
3 approve that, and it was not approved.

4           **MR. HARRINGTON:**

5           Okay. Well, all I'm saying is, when we were here last time, regardless of what  
6 happened to SUNO, because, apparently, what happens to them doesn't -- you know,  
7 we're two different things, apparently, they advised us -- the Board advised us that we  
8 would get supplemental back pay once we got the Attorney General's opinion,  
9 regardless of if that happens or not, I don't know. I just --

10           **MS. DEBENEDETTO:**

11           We'll put that -- those minutes.

12           **MR. DECUIR:**

13           Right. I'm intimately familiar with SUNO, but -- so I also understand that they may  
14 have been prospective money anyway since they were the first coming with an initial  
15 application. I don't recall them necessarily seeking back pay at the time. I mean, if  
16 they did, it wouldn't have been significant.

17           **MR. SCHEXNAYDER:**

18           They did seek it, but the Joint Legislative Committee did not approve it.

19           **MR. DECUIR:**

20           And if I can address your concern with respect to the MOU.

21           **MR. LAYRISSON:**

22           Uh-huh.

23           **MR. DECUIR:**

24           Until it's terminated, it's valid, and unless UNO and the chief of -- Chief Executive  
25 Officer for the University of New Orleans at this time, which is Dr. Walter

1 (unintelligible), unless they choose to pay an MOU, it remains valid.

2 **MR. LAYRISSON:**

3 Well, in my opinion, and, Paul, correct me if I'm wrong, but this MOU has Chief  
4 Michael Harrison on it --

5 **MR. DECUIR:**

6 Sure.

7 **MR. LAYRISSON:**

8 -- and with the Baltimore Police Department, so he can't represent --

9 **MR. DECUIR:**

10 I understand. Right.

11 **MR. LAYRISSON:**

12 -- New Orleans Police Department.

13 **MR. DECUIR:**

14 Sure. And our US Constitution has a lot of other names on it, but it's still a valid  
15 document as it exists today. And there's plenty of documents that were signed by Teddy  
16 Roosevelt, that were signed by Barak Obama, that's been signed by George H. W.,  
17 George W., that are currently valid even though they were signed under a different  
18 president. Just because Chief Harrison and Dr. Lassen entered into this agreement, it  
19 binds these institutions. It binds the University of New Orleans, and it binds the police  
20 department, until such time when one of the two parties declares that it is no longer  
21 valid and they want to terminate it.

22 **MR. LAYRISSON:**

23 Well, they -- and Paul is our lawyer, but when the Chief left for Baltimore, that's  
24 when this document was invalid.

25 **MR. DECUIR:**

1           No, sir. It says valid --

2           **MR. LAYRISSON:**

3           We need Chief Ferguson on this document.

4           **MR. DECUIR:**

5           It -- it -- specifically under Section 4, it says, "Termination," "Termination for  
6           Convenience," "Either party may terminate this agreement at any time during the term  
7           of the agreement by giving the other party written notice of the date of its intention to  
8           terminate at least 30 days before the intended date of termination," Then there's a  
9           "Termination for Cause."

10          But, otherwise, it specifically says "Duration." "This agreement will be effective  
11          from the effective date until it is terminated by either party in accordance with Section  
12          6."

13          This agreement has never been terminated.

14          **MR. LAYRISSON:**

15          Okay.

16          **MR. DECUIR:**

17          It is a valid agreement.

18          **MR. LAYRISSON:**

19          Okay.

20          **MR. DECUIR:**

21          So with respect --

22          **MS. DEBENEDETTO:**

23          Again, we need applications for us to review.

24          **MR. HARRINGTON:**

25          We brought them here last time and they told us they couldn't do anything with

1 them until this was approved. So we -- these still have the dates of 2017 on them.

2 **MS. DEBENEDETTO:**

3 Okay. Well, we'll take those and we will review them, and then we will notify you  
4 of the next meeting and the Board can take action at that time.

5 **MR. LAYRISSON:**

6 Paul, is it your opinion that this MOU is legal?

7 **MR. SCHEXNAYDER:**

8 Yes, based on the title regarding duration, it's in effect until it's termination.

9 **MR. LAYRISSON:**

10 Well, they've waited long enough. If this agreement is still good and we have the  
11 applications, I think that we should approve, pending the applications be approved, this  
12 agreement is good, I think we should go ahead and make them eligible for supplemental  
13 pay.

14 **MS. DEBENEDETTO:**

15 You can't make anybody eligible without us reviewing those applications.

16 **MS. HUTCHINSON:**

17 Can we do contingent?

18 **MR. LAYRISSON:**

19 Contingent of them being reviewed and approved.

20 **MS. HUTCHINSON:**

21 And are all the people in the applications still employed with --

22 **MR. HARRINGTON:**

23 These are. We still have the ones -- and it -- it's a moot point, I guess, if you're  
24 telling me that we can't go back and pay the people from the time that this started.

25 **MR. LAYRISSON:**

1 We're not telling you that. It will go before the legislature.

2 **MR. HARRINGTON:**

3 Right, right.

4 **MR. LAYRISSON:**

5 It is possible. She's just telling you that SUNO was denied.

6 **MR. HARRINGTON:**

7 Understood.

8 **MS. HUTCHINSON:**

9 Well, all the people on the application, they're --

10 **MR. HARRINGTON:**

11 Current.

12 **MS. HUTCHINSON:**

13 So currently employed? Okay. And there's no -- no one else missing out -- like if  
14 you hired somebody in 2019, are they included?

15 **MR. HARRINGTON:**

16 We just did -- we made sure everything was done last night.

17 **MS. DODGE:**

18 I have a question. What would be the -- since they'll be various employment  
19 dates --

20 **MS. HUTCHINSON:**

21 Yeah. That -- that's what I'm asking like --

22 **MS. DODGE:**

23 See, that -- my question is, since I review the applications, what effective date do  
24 we use to begin --

25 **MS. DEBENEDETTO:**

1           And that's why we can't set an effective date at this meeting.

2           **MS. DODGE:**

3           Because they could have been employed for years and years and years, so we need  
4           an actual date.

5           **MS. DEBENEDETTO:**

6           Stephanie, that's what I'm saying. We cannot approve individual eligibility dates  
7           until the staff has reviewed the applications. There are lots of factors that go in to  
8           determining that eligibility date, like the date of hire, the date of their POST  
9           certification, any prior service they would have had, and each individual could have a  
10          different effective date.

11          **MS. OBY:**

12          Hey, guys. This is Candace. I'm pretty sure when we approved Southern's  
13          applications, I think -- I would have to go back, but I'm pretty sure we approved them  
14          effective the -- their situation may have been different because I think they had to get a  
15          new MOU because their MOU had expired, but I'm pretty sure we said it like, if we  
16          approved it today, then that's the effective date.

17          **MR. LAYRISSON:**

18          Then they will all be effective --

19          **MS. OBY:**

20          Like I don't think we went back and paid anybody any back pay, because until the  
21          Board like approved and -- and acknowledged the MOU agreement. Am I correct?

22          **MS. DODGE:**

23          Yes, you are correct. We used the date that it was approved as the effective date,  
24          because the employment date could have been years and years and years ago, so we  
25          can't pay them back pay on all that time. So we did decide in the Board meeting what

1 the effective date would be. Now, if we're not ready to do that yet, they may have to  
2 wait until the next Board meeting. I'm not sure.

3 **MS. DEBENEDETTO:**

4 It's up to the Board.

5 **MR. LAYRISSON:**

6 Well, I think we can make the effective date the date that you approve the  
7 applications. They will be approved contingent on when the applications are approved.  
8 And everybody gets the same date.

9 **MS. DODGE:**

10 So then that would be -- technically, that would August the 19th of 2020, because  
11 they won't be approved until the next Board meeting.

12 **MS. HUTCHINSON:**

13 Is that what you were saying?

14 **MR. LAYRISSON:**

15 No. I'm trying to approve them today.

16 **MS. HUTCHINSON:**

17 Right, right.

18 **MR. LAYRISSON:**

19 And then next week whenever you go through each one and approve them --

20 **MS. HUTCHINSON:**

21 Right.

22 **MR. LAYRISSON:**

23 -- after you approve the last one, that's the effective date.

24 **MS. DEBENEDETTO:**

25 Well, I think -- I think that if you decide and if we go along, and we'll need to pull



1 the minutes from when SUNO happened to try to make them -- try to make us  
2 consistent, but if the Board at that meeting set a date that, as of today, they would be  
3 eligible, then we could review each of the applications, and if they meet all of the other  
4 qualifications, then -- and have had their one year of service and all of that by today's  
5 date, we could make that the effective date. But they would not receive their pay until  
6 we have another Board meeting and actually approve it, because we have to actually  
7 approve each individual.

8 **MR. LAYRISSON:**

9 Correct. So they would get back pay --

10 **MS. DEBENEDETTO:**

11 Right.

12 **MS. DODGE:**

13 To today.

14 **MR. DECUIR:**

15 So what you all are saying is that y'all are going to take these in today, right, then  
16 the approval date on these applications would actually be the date of the application  
17 submission. Even though you've got to review it and it takes a few days, technically,  
18 when you file something, the approval is as of the date of filing, such that when y'all  
19 would take it in today, because, obviously, it's conditional because if something isn't  
20 right with the application it kicked, right, because it's a conditional approval. So the  
21 effective date would be as of today, once you take them in and process them. It's almost  
22 like a retroactive file-stamped --

23 **MS. HUTCHINSON:**

24 I think what she's saying is that, they're not actually going to get a payment, like a  
25 check, until --

1 **MS. DEBENEDETTO:**

2 It will probably be September.

3 **MR. DECUIR:**

4 I understand. I understand it's two -- it's two different issues. It's two  
5 completely separate things. And just so I'm clear and make sure that they -- my  
6 folks over here understand is that, we're talking about an effective date for the  
7 application and then we're talking about an effective date for when these  
8 payments are to be received. And you have to do an individual assessment --

9 **MS. HUTCHINSON:**

10 Right.

11 **MR. DECUIR:**

12 -- of each officer that's there to make sure they meet whatever application  
13 requirements, and that might be different for the individuals that are in their  
14 employ. If I said that wrong, somebody, please, correct me.

15 **MS. DODGE:**

16 Well, no, you did -- can I say something? Actually, yes, in regard to the  
17 applications that come in from UNO, going forward, if their employment date  
18 was prior to 5/28/20, then we use the effective date --

19 **MS. DEBENEDETTO:**

20 We're not going to do that. No. They're -- no one is going to be effective  
21 before today.

22 **MS. DODGE:**

23 That's what I just said, 5/28/20. That's what I'm saying, if on the  
24 application, the employment date is January 5th of '19, they do not get back pay  
25 back to January 5th of '19. Their effective date for their pay, supplemental pay,

1 is 5/28/20.

2 **MR. DECUIR:**

3 Okay.

4 **MS. DODGE:**

5 Going forward, if someone comes to your agency and their employment  
6 date is 9/5/2020, that is their effective date.

7 **MR. DECUIR:**

8 Correct.

9 **MS. DODGE:**

10 Okay. I just want to make sure everybody was clear.

11 **MS. HUTCHINSON:**

12 Yes.

13 **MR. DECUIR:**

14 So let -- let me ask this. Then by -- by doing it this way, does that preclude  
15 them from being able to make the request for back pay?

16 **MR. LAYRISSON:**

17 Yeah. Let -- let me speak. The effective date needs to go back -- well, we'll  
18 approve them today, but whenever they first came to the Board, that's when their  
19 effective date needs to be for those that are eligible. They need to have a chance  
20 to get that three years of back pay.

21 **MS. DODGE:**

22 Well, we can do a spreadsheet, I guess, and -- and put all --

23 **MR. LAYRISSON:**

24 They need to be eligible to get that back pay, and that will be Act 110's  
25 decision. You understand what I'm saying?

1 **MS. DODGE:**

2 Back to what?

3 **MR. LAYRISSON:**

4 Back to whenever they first came to the Board.

5 **MS. DODGE:**

6 Oh, well, we'll have to have that date.

7 **MR. LAYRISSON:**

8 Because I think we did the same thing for SUNO.

9 **MS. DODGE:**

10 We did.

11 **MR. LAYRISSON:**

12 SUNO just got the time.

13 **MS. DODGE:**

14 We did. What we did is --

15 **MR. LAYRISSON:**

16 Well, we need to give them the opportunity.

17 **MR. HARRINGTON:**

18 It was 10/25/17.

19 **MS. DODGE:**

20 Yes. I think that -- yes. We can keep a record of any application where the  
21 officer was employed and qualified prior to 5/28/20, and have that recorded, and  
22 it will go to the Joint Legislative Committee for approval. But anything 5/28/20,  
23 going forward, will be part of our regular supplemental pay --

24 **MR. LAYRISSON:**

25 Then we'll start at the next meeting.

1 **MS. DODGE:**

2 But they also have to qualify for all the other --

3 **MR. LAYRISSON:**

4 Absolutely.

5 **MS. DODGE:**

6 Does that make sense?

7 **MR. DECUIR:**

8 It does. What I'm hearing is that we're going to get some kind of conditional  
9 approval today, maybe, once y'all get --

10 **MS. OBY:**

11 Excuse me. When was that MOU approved -- effective?

12 **MR. DECUIR:**

13 Twenty seventeen.

14 **MS. DEBENEDETTO:**

15 The effective date of the MOU is the November 1st of 2017.

16 **MS. OBY:**

17 So why are they just now coming to the Board?

18 **MS. HUTCHINSON:**

19 They came --

20 **MS. DEBENEDETTO:**

21 Obviously, Candace, they must have come before you took over it.

22 **MR. SCHEXNAYDER:**

23 They did. They came and we ask that they get an Attorney General's  
24 opinion. They got that, and this is the first available date since then.

25 **MS. HUTCHINSON:**

1 Yes.

2 **MS. DEBENEDETTO:**

3 We'll go back and pull --

4 **MS. OBY:**

5 So they -- they -- so they didn't have an Attorney General's opinion when  
6 they did the MOU?

7 **MS. DEBENEDETTO:**

8 No.

9 **MR. DECUIR:**

10 We -- we did. We had -- we had an Attorney General's opinion using  
11 reliance on an identical school.

12 **MR. SCHEXNAYDER:**

13 Right, the SUNO opinion.

14 **MR. DECUIR:**

15 The SUNO opinion.

16 **MS. OBY:**

17 But -- but -- but this administration advised you that that was not acceptable.

18 The Board said that you needed to get your own MOU -- I mean, your own  
19 Attorney General's opinion.

20 **MR. DECUIR:**

21 Which we then did.

22 **MR. SCHEXNAYDER:**

23 Right.

24 **MS. OBY:**

25 So you got an MOU done before you had your Attorney General's opinion?

1 **MR. DECUIR:**

2 We -- we got an MOU done based on the reliance from the Attorney  
3 General.

4 **MS. DEBENEDETTO:**

5 I would think that --

6 **MS. OBY:**

7 So then what's the date on the --

8 **MR. LAYRISSON:**

9 Let me -- I make a motion that we approve them to receive supplemental  
10 pay effective today for those that are qualified and that have possible back pay to  
11 the date on the MOU.

12 **MS. DEBENEDETTO:**

13 Or how about the date of the Attorney General's opinion?

14 **MR. LAYRISSON:**

15 No. I say the MOU.

16 **MS. DEBENEDETTO:**

17 Okay.

18 **MR. LAYRISSON:**

19 Because they had an AG opinion with a similar university that may have  
20 qualified them then. So, effective today, they are eligible, with potential back  
21 bay going back to the date of the MOU.

22 Can I get a second?

23 **MS. OBY:**

24 Can I -- can I just --

25 **MR. LAYRISSON:**

1           You can amend it, yes.

2           **MS. OBY:**

3           Can I ask to amend your motion? Because I think that we should put the  
4           effective date on the date that we had their MOU and their Attorney General's  
5           opinion, which would be the Attorney General opinion date, because that's the  
6           whole reason why we told them they had to go get the AG's opinion, that we  
7           wouldn't approve it based on just piggybacking off of Southern.

8           **MR. DECUIR:**

9           If I can interject on your thought processes, and I going to ask your Counsel  
10          to -- to also maybe provide some guidance, but if you read the current Attorney  
11          General opinion that was provided to us, it specifically references and states that  
12          we were covered under the original Attorney General opinion. So the fact that  
13          we went and got a sub -- well, a subsequent opinion that specifically said, the  
14          University of New Orleans is of -- of no moment. Because this -- they -- they  
15          rewrite the entire opinion that was given to SUNO that said anybody similarly  
16          situated to SUNO qualifies. And that's typically the way AG opinions are  
17          written, such that it's a piece of advice that can apply to those that are identically  
18          situated. The fact that we had to go back and get one that was specifically issued  
19          to UNO only continued and pushed this process to where it is into 2020.

20          **MR. SCHEXNAYDER:**

21          And that's correct.

22          **MS. OBY:**

23          Well, I -- I don't agree with you, because I know that there are many  
24          Attorney General opinions that are issued on the same issue, and they come back  
25          totally different. So I don't -- I don't agree with you on that.



1 **MR. DECUIR:**

2 I understand. And this one didn't come back totally different. But, be that  
3 as it may, these are -- these aren't apples and oranges. These are two apples, and  
4 they're -- and they're not even a red and a green apple. It's red apples from the  
5 same batch that you're now saying, I didn't like this apple because it was sitting  
6 on its left side, but I like this apple because it was sitting on its right side. Now,  
7 I mean, that's -- that's how connected these things are, but I respect your  
8 position, and I -- I, obviously, will disagree. But for what it's worth, you know,  
9 we still are seeking whatever rule that we may gain today.

10 **MS. HUTCHINSON:**

11 Are we still on his motion, or do you need a second now or --

12 **MS. DEBENEDETTO:**

13 Candace, so what -- what are you doing?

14 **MS. OBY:**

15 I just requested to amend the motion to have the effective date the date of  
16 the -- the day that we have a signed effective MOU and a signed Attorney  
17 General's opinion directly addressing UNO, which would be the date of the  
18 Attorney General's opinion.

19 **MR. HARRINGTON:**

20 So what the Board said prior that when we get the opinion we would get  
21 back pay, that's just being disregarded?

22 **MR. LAYRISSON:**

23 That's what we're currently discussing.

24 **MR. HARRINGTON:**

25 That's what I'm saying, but that's what the Board had said before.

1 **MS. HUTCHINSON:**

2 I mean, until -- I don't remember what was said at the Board meeting. I was  
3 there. It was three years ago. I mean, I feel like we would need to know what  
4 was said at -- at that Board meeting.

5 **MS. DEBENEDETTO:**

6 And that's the thing --

7 **MS. HUTCHINSON:**

8 And if we said that they would be eligible -- because I don't think that we  
9 could say that, yes, you're going to get back pay --

10 **MR. LAYRISSON:**

11 No. I think we --

12 **MS. HUTCHINSON:**

13 -- if you're eligible.

14 **MR. LAYRISSON:**

15 We should let Act 110 decide that.

16 **MS. HUTCHINSON:**

17 Right.

18 **MR. LAYRISSON:**

19 Just like they did for SUNO, so that's why I stand on my motion.

20 So I need a second on my motion.

21 **MS. HUTCHINSON:**

22 But if she's -- I don't -- I don't know how that works, but does another -- she  
23 made a --

24 **MR. LAYRISSON:**

25 I deny her --

1 **MS. DEBENEDETTO:**

2 She requested it.

3 **MR. LAYRISSON:**

4 She requested it. I'm denying it.

5 **MS. HUTCHINSON:**

6 You're denying it. So there's only one --

7 **MS. DEBENEDETTO:**

8 You still have to vote on his motion.

9 **MR. LAYRISSON:**

10 I still want to vote on my motion.

11 **MS. HUTCHINSON:**

12 So I'll second it.

13 **MR. LAYRISSON:**

14 All in favor.

15 Aye.

16 **MS. HUTCHINSON:**

17 Aye.

18 **MR. LAYRISSON:**

19 Motion carries.

20 **MS. DEBENEDETTO:**

21 Candace, did you vote?

22 **MS. OBY:**

23 Yes, yes.

24 **MS. DEBENEDETTO:**

25 Yes, aye, or, yes, nay?

1 **MS. OBY:**

2 Nay.

3 **MS. HUTCHINSON:**

4 So --

5 **MS. DEBENEDETTO:**

6 How did you vote, Trenesia?

7 **MS. HUTCHINSON:**

8 I said -- I seconded it, so...

9 **MS. DEBENEDETTO:**

10 Okay.

11 **MR. SCHEXNAYDER:**

12 Two and one.

13 **MR. DECUIR:**

14 So what do we need to do from here?

15 **MS. HUTCHINSON:**

16 Right. That's -- is everyone clear?

17 **MR. DECUIR:**

18 What exactly do you need from us? I mean, he has his applications here,  
19 so...

20 **MS. HUTCHINSON:**

21 And all those people are still employed or not all of them are still employed?

22 **MR. HARRINGTON:**

23 They should still all be employed.

24 **MS. HUTCHINSON:**

25 They are still being employed. Is there anyone that started after those

1 applications were submitted back in 2017?

2 **MR. HARRINGTON:**

3 Yes.

4 **MS. HUTCHINSON:**

5 And so where -- where are those applications? So it's a mixture. Not all the  
6 ones from '17 is --

7 **MR. LAYRISSON:**

8 She's going to have to do a spreadsheet.

9 **MS. HUTCHINSON:**

10 Right. I just want to make sure that everybody that's supposed to be getting  
11 it, it's all at the same time. But then -- and then the ones that were submitted like  
12 in 2017, where things could have changed, is the updated POST certificate and  
13 all that stuff has been included?

14 **MR. HARRINGTON:**

15 Yes, ma'am. I hope we have everything.

16 **MS. HUTCHINSON:**

17 Okay. We said it was '17.

18 **MR. HARRINGTON:**

19 I hope we have everything. If not, I'm here. Whatever you need, I'm here.

20 **MS. DEBENEDETTO:**

21 What the staff will do, I will accept the applications today. The staff,  
22 probably myself, will review each application. We will take into account the  
23 effective date, any back pay that could be -- any back pay that would be effective  
24 for the eff -- for this effective date, and any possible back pay that would have to  
25 go for additional approval for each applicant. And we'll bring that before the

1 Board at the next meeting to assign, you know, individual effective dates, and  
2 then we'll be sure and notify y'all at that time, too.

3 **MR. DECUIR:**

4 For purposes of August -- what day is the meeting?

5 **MS. DODGE:**

6 Nineteenth.

7 **MR. DECUIR:**

8 -- August 19th, on August 19, 2020, what -- you guys will then come back  
9 with this -- essentially an analysis of the applications saying these -- this batch or  
10 this group is only eligible from 5/20 and 21 or this eligible -- this group, the  
11 second group, could be potentially eligible for back pay, but then we would have  
12 to do Act 110 money; is that correct?

13 **MS. DEBENEDETTO:**

14 Well, they could both potentially have some Act 110. We -- even someone  
15 who is currently employed, meets all of the qualifications, simply by the fact that  
16 their eligibility date would be 5/28 would encounter some Act 110 money  
17 because they would not be paid until a new fiscal year. That would be a smaller  
18 amount, and we would submit that, along with our regular Act 110. Then we  
19 would do a separate Act 110 request for the potential of going back to the MOU  
20 date and that -- it would be -- it would be submitted to the Joint Legislative  
21 Committee as two separate items for approval.

22 But let me ask a -- another question of these applications. So is there  
23 anyone who was employed prior to 5/28, who is not longer employed, and,  
24 therefore, you do not have an application for them?

25 **MR. HARRINGTON:**

1 No.

2 **MS. DEBENEDETTO:**

3 You don't have a -- okay. But those are potential back pay -- okay. So that  
4 would be on y'all not to -- to answer to that person if they were ever make  
5 inquiry why they didn't get it.

6 **MR. HARRINGTON:**

7 Yes, ma'am. I mean, is this -- is this a one-time thing, or can we bring the  
8 other applications at a -- I mean, if there are other ones that we come up with, is  
9 it just a one-time deal where we have to turn them down, or --

10 **MS. DEBENEDETTO:**

11 Well, I think the potential back pay back to the MOU is kind of a one-time  
12 thing.

13 What do you think, Ternisa or Candace? Certainly, if you have --

14 **MS. HUTCHINSON:**

15 I mean, from the time -- to me, okay, so if we're saying that, okay, effective  
16 today, we're going to go back in -- so now anybody that was employed on -- that  
17 was eligible on the 1st of November of 2017, those people are eligible from that  
18 date, and if they have met all the criteria.

19 **MS. DEBENEDETTO:**

20 Right.

21 **MS. DODGE:**

22 It's 5/23.

23 **MS. HUTCHINSON:**

24 What's 5/23?

25 **MS. DODGE:**

1 Well, if you're going to do the back pay, you have to start at -- well, I mean,  
2 5/27. They would be from 1/17 -- 11/17, through 5/27 would be the back pay.

3 **MS. HUTCHINSON:**

4 Right. But for people that are no longer employed, we are not going to  
5 authorize payment all the way up until May because they're no longer employed.  
6 So it has to be from a time --

7 **MS. DEBENEDETTO:**

8 Right.

9 **MS. HUTCHINSON:**

10 -- from November 1, 2017, to when their last date of eligibility.

11 **MS. DEBENEDETTO:**

12 Correct, correct.

13 **MR. DECUIR:**

14 I would posture to say that the universe of that lot of applicants are -- not  
15 applicants, rather, or someone that was employed prior to and no longer  
16 employed, and as we sit here today, has got to be --

17 **MS. HUTCHINSON:**

18 That is what I would think.

19 **MR. DECUIR:**

20 So what we would -- respectfully, it's based on what you guys approve,  
21 except as to say this, if we find some additional ones, then we may just submit  
22 that in advance of the August meeting, and you guys can decide how y'all want  
23 to handle it, but we don't want to -- and if y'all are saying, look, this was our one-  
24 shot opportunity, I don't want to not make a submission. I would rather make  
25 the submission later as a supplement, not necessarily tethered to this date, but



1 just as a supplement, such that you have it, and if it's denied, you know, it's not,  
2 but it won't be for lack of -- of effort on our part.

3 **MS. DODGE:**

4 May I say something? Regarding the applications, like what we require  
5 from the agencies that submit applications is, when you have an officer that has  
6 met all of the requirements for supplemental pay, you send that application in at  
7 that time. Don't hold them all until you have a whole bunch, just continuously  
8 send in these applications so that they can be reviewed.

9 Because, for the August meeting, the deadline for applications is August  
10 5th. We will not accept any more applications after that day, they will go for  
11 the November meeting.

12 **MR. DECUIR:**

13 Sure.

14 **MS. DODGE:**

15 So you want to continuously -- and what's going to happen is, these people  
16 -- like the people that go back to the 2017 date, we should get all of those now.  
17 You shouldn't have any --

18 **MR. DECUIR:**

19 And I think that's what --

20 **MS. DODGE:**

21 -- on a continuing basis that are going to go back to 2017, unless they don't  
22 have a POST. Well, if they don't have a POST, they're going to get paid on the  
23 date of their POST.

24 **MR. DEBENEDETTO:**

25 Okay. And I think we do --

1 **MR. HARRINGTON:**

2 Yes, ma'am. I know that the -- the people that -- these are our current  
3 employees. The people that -- I know there are a couple of them in here that we  
4 just simply haven't gotten to get their paperwork from yet that would be eligible  
5 for the back pay, but they have since retired. So those are the ones that I would  
6 hope we could get consideration for, giving us some time to get those people's  
7 applications completed, getting the notaries done, and all of this other stuff, and  
8 then we'll bring those up at one time, if that's acceptable.

9 **MS. DEBENEDETTO:**

10 If you could get them to us as soon as you can within the next --

11 **MR. HARRINGTON:**

12 Yes, ma'am. I'll -- as soon as I leave from here, I'll --

13 **MS. DEBENEDETTO:**

14 Certainly before the deadline for the next meeting, we will get those --

15 **MR. DECUIR:**

16 -- well in advance of --

17 **MS. DEBENEDETTO:**

18 And make sure that -- so, yes, get us those applications as soon as you can,  
19 and we will get them all reviewed.

20 **MR. HARRINGTON:**

21 Right. They have some of them retired, and I know a -- one is in Florida,  
22 one is some place else, so I'll try and get those done as quickly as possible.

23 **MS. DEBENEDETTO:**

24 We'll appreciate that.

25 All right. So just to recap to make sure we're all understanding, the motion

1 was approved for an effective date of 5/28/2002, with --

2 **MS. DODGE:**

3 Two thousand twenty.

4 **MS. HUTCHINSON:**

5 Two thousand twenty.

6 **MS. DEBENEDETTO:**

7 -- excuse me -- 2020, okay, 2020 -- I was on this Board in 2002, all right --  
8 2020, with potential back pay or possible back pay pending further approval  
9 from the Joint Legislative Committee on the budget, back to the date of the  
10 MOU -- the original date of the MOU, November 1, 2017.

11 **MR. LAYRISSON:**

12 Do y'all have anything else?

13 **MR. DECUIR:**

14 No, sir. We certainly appreciate you guys' time and consideration on this  
15 issue, and we will work expeditiously to get you the remaining applications.

16 **MS. DEBENEDETTO:**

17 Thank y'all very much, and thank you for complying for all of the  
18 distancing.

19 CITY OF MINDEN

20 Michael Griffith and Brandon Griffith

21 **MR. LAYRISSON:**

22 The next item on the agenda, the City of Minden.

23 Candace?

24 **MS. DEBENEDETTO:**

25 Candace, what is it?

1 **MS. OBY:**

2 I'm going to ask Candy to kind of carry this because I know she dealt with  
3 these people I think. They were terminated; is that right, Candy?

4 **MS. DODGE:**

5 Yes, they were terminated.

6 **MR. LAYRISSON:**

7 Let's take a five-minute recess.

8 (Brief recess.)

9 **MS. DEBENEDETTO:**

10 Let's go back on the record. And Candy will give us an overview of the  
11 City of Minden.

12 **MS. DIEZ:**

13 So both Michael and Brandon Griffith is the same situation for both.  
14 Apparently, they were terminated by Minden PD, and it was overturned by Civil  
15 Service. So the town never did stop paying them, even though we did, so now  
16 the town is asking us -- they're invoicing us for their money back that they paid  
17 these two guys.

18 **MS. HUTCHINSON:**

19 But they should not have?

20 **MS. DODGE:**

21 They paid them supplemental pay.

22 **MS. HUTCHINSON:**

23 But they should not have been receiving pay?

24 **MS. DIEZ:**

25 I don't know why the town was paying them.

1 **MS. HUTCHINSON:**

2 Right. But you're saying that these people were not eligible for  
3 supplemental pay?

4 **MS. DIEZ:**

5 They were terminated.

6 **MS. HUTCHINSON:**

7 We did not pay them, and now the town is asking for us to now pay the  
8 people that --

9 **MS. DEBENEDETTO:**

10 (Shakes head.)

11 **MS. HUTCHINSON:**

12 No?

13 **MS. DIEZ:**

14 No. So --

15 **MS. HUTCHINSON:**

16 She's shaking her head no, and you're saying yes.

17 **MS. DIEZ:**

18 No, no.

19 **MS. DEBENEDETTO:**

20 Oh, I'm just going (shakes head).

21 **MS. HUTCHINSON:**

22 No, no, no. I'm talking about --

23 **MS. DIEZ:**

24 So the town terminated them, but they went to Civil Service. Civil Service  
25 overturned the termination.

1 **MS. HUTCHINSON:**

2 Okay.

3 **MS. DIEZ:**

4 Now the town, according to --

5 **MS. DEBENEDETTO:**

6 But it was reinstated with no lost wages.

7 **MS. DIEZ:**

8 Right.

9 **MS. DEBENEDETTO:**

10 Which means that they just got reinstated as of a certain date.

11 **MS. HUTCHINSON:**

12 As if it never happened?

13 **MS. DEBENEDETTO:**

14 Yeah.

15 **MS. DIEZ:**

16 Right. So per our directions, we made them submit a new application,  
17 because we terminated them whenever they did way back. So they submitted a  
18 new application. It got approved. The town continued to pay them supplemental  
19 pay, and now they're asking us for their money that they paid the employees.

20 **MS. DEBENEDETTO:**

21 Why was the town paying them supplemental pay?

22 **MR. SCHEXNAYDER:**

23 According to their letter, they're saying we advised them to do that. Why? I  
24 don't know.

25 **MS. DEBENEDETTO:**

1 No.

2 **MS. DIEZ:**

3 No.

4 **MS. DODGE:**

5 And, normally what happens in a situation like this when someone is  
6 terminated and it goes before Civil Service, blah, blah, blah, we terminate them  
7 the date that the town lets us know they're terminated. They go through  
8 whatever their court decision is, and -- and let's say -- let's say that we terminated  
9 them on January 1, 2020. They go through the -- the --

10 **MS. DEBENEDETTO:**

11 The town --

12 **MS. DODGE:**

13 -- complaint and the suit, and the town -- the Civil Service Board, okay, it  
14 says, you have to put them back on your payroll.

15 **MS. HUTCHINSON:**

16 Correct.

17 **MS. DODGE:**

18 They didn't have a -- you didn't have a valid reason to terminate them, and  
19 we're going to make that judgment effective September 1, 2020. Well, we are  
20 only responsible for putting them back on our rolls for supplemental pay as of  
21 September 1, 2020. We do not -- we are not responsible for the back pay.

22 **MS. DIEZ:**

23 So the town --

24 **MS. HUTCHINSON:**

25 Well, that's now what this says.

1 **MS. DIEZ:**

2 So the town has to pay them their back pay.

3 **MS. DODGE:**

4 Right.

5 **MS. DIEZ:**

6 We're not responsible for back pay. The town is.

7 **MS. DODGE:**

8 The town is responsible for paying from January --

9 **MS. DIEZ:**

10 And then the town, in turn, can invoice us with proof of payment to that  
11 employee that they paid them that back pay, which they should have attached an  
12 invoice --

13 **MS. HUTCHINSON:**

14 An invoice, but where -- oh --

15 **MS. DIEZ:**

16 -- and there's -- yeah. There's proof of --

17 **MS. HUTCHINSON:**

18 I think we -- based on -- we do --

19 **MS. DEBENEDETTO:**

20 One thing is missing from this file, and that is a copy of the Civil Service  
21 decision. We always requested that to make sure that we -- that the Civil Service  
22 decision did include payment for back pay and that they didn't just decide to do  
23 it on their own. So I'm just going to make that suggestion that we do need to get  
24 a copy of the Civil Service action before you can --

25 **MR. LAYRISSON:**



1           Yeah. Let's request a copy of that, and we'll push this until the next Board  
2 meeting.

3           **MS. HUTCHINSON:**

4           Let me ask a question. Will this have to go to Act 110 then?

5           **MS. DEBENEDETTO:**

6           Sure.

7           **MS. HUTCHINSON:**

8           Even though it's not to an individual, but it's now back to a town.

9           **MS. DEBENEDETTO:**

10          It's -- it's still considered back pay. We can't --

11          **MS. HUTCHINSON:**

12          Right.

13          **MS. DEBENEDETTO:**

14          We can't pay anything for a previous fiscal year.

15          **MS. HUTCHINSON:**

16          Right. I don't see how we can deny them if the person has been reinstated.

17          **MS. OBY:**

18          I know -- I know in the -- Paul, I remember us talking about this before the  
19 last time this happened, and I think we found something maybe in the policy  
20 somewhere or -- or something saying that if the town invoices us, then the -- the  
21 Board can approve payment directly to a town or something like that.

22          **MR. SCHEXNAYDER:**

23          Yeah. There's an old Supreme Court decision that says that the town is  
24 liable to pay them the back pay, and then the Supreme Court said, but we're not  
25 going to say whether or not the town can then apply to the Board and get

1 reimbursed. So they didn't actually rule on that, but they just kind of threw that  
2 possibility out there, and so, you know, now it's up to us as to whether we want  
3 to reimburse them or not. It sounds reasonable that we would reimburse them.  
4 They've been reinstated.

5 **MS. OBY:**

6 Well, yeah. I mean, the individually was wrongfully terminated.

7 **MR. SCHEXNAYDER:**

8 Right.

9 **MS. OBY:**

10 I mean -- and he was reinstated with no lost wages. I think in the past we  
11 approved the invoice, but I do agree with making sure that the --

12 **MS. DEBENEDETTO:**

13 Civil Service decision.

14 **MS. OBY:**

15 -- yeah, the Civil Service decision, you know, specifies that.

16 **MR. SCHEXNAYDER:**

17 Right.

18 **MS. DEBENEDETTO:**

19 And I would also suggest that we check to see that, does the City of Minden  
20 have any outstanding invoices to --

21 **MS. OBY:**

22 To us? Okay.

23 **MR. LAYRISSON:**

24 Shouldn't they technically though not pay them, and then when the officer  
25 gets reinstated, then at the next meeting we give them the back pay during the

1 termination?

2 **MS. DEBENEDETTO:**

3 Yeah. I'm -- I am not sure why. That goes way back -- that was a Jimmy  
4 Thibodeaux thing, I do remember it well -- that -- that the town was responsible  
5 for paying them, and that they could seek reimbursement from us. A lot of  
6 towns never did though.

7 MORGAN CITY

8 KIMBERLY WITHROW

9 **MR. LAYRISSON:**

10 All right. The next item on the agenda is Morgan City, appeal for  
11 correctional officer.

12 **MS. DEBENEDETTO:**

13 Well, this is not really an appeal because it has never been before the Board  
14 before, correct?

15 **MS. DODGE:**

16 Well, they're appealing me returning it and saying she's not qualified.

17 **MS. DEBENEDETTO:**

18 Well, we returned the application because this employee's job title is  
19 correctional officer, and that is not an eligible job title to receive supplemental  
20 pay. We do have a lot of jailers. and they're typically jailer/police officer. They  
21 are commissioned and do both, you know. It's the blended-town kind of thing.

22 **MS. DODGE:**

23 Or corrections officer is one that they accept.

24 **MS. DEBENEDETTO:**

25 No. We shouldn't be accepting any --

1 **MS. DODGE:**

2 Jailer/corrections officers.

3 **MS. DEBENEDETTO:**

4 Yeah. Okay. But they do have police duties too. If they are -- if they are  
5 solely in a jail, then they are not eligible for supplemental pay. Although, this  
6 person did get the correct POST certificate to be eligible for supplemental pay.  
7 It's the job description that we returned it for. And so we brought that to y'all to  
8 see what y'all feel about either requesting them to come or submit a more  
9 detailed job description to see what exactly this person is doing.

10 **MS. DODGE:**

11 Can I say something?

12 **MR. LAYRISSON:**

13 Yes.

14 **MS. DODGE:**

15 And this is a Civil Service position. It's not like one of the little small towns  
16 that have one person do everything. I mean, the correctional officer title is what  
17 this person has through Civil Service.

18 **MS. HUTCHINSON:**

19 Well, what Civil Service, State Civil Service, or --

20 **MS. DODGE:**

21 Yes.

22 **MS. DEBENEDETTO:**

23 Well, not State Civil Service.

24 **MS. DODGE:**

25 No, no.

1 **MS. DEBENEDETTO:**

2 They're Municipal Civil Service.

3 **MS. DODGE:**

4 Yeah, Municipal Civil Service.

5 **MS. HUTCHINSON:**

6 Okay. I just wanted to be clear, because we have correctional officers in the  
7 State Civil Service.

8 **MR. LAYRISSON:**

9 Do we have any others from the Morgan City Police Department that are  
10 receiving it as correctional officers?

11 **MS. DEBENEDETTO:**

12 Well, we don't know that, just off the top of our heads. I can tell that, since  
13 I have been associated, the Board has routinely approved those who did both,  
14 police duties and jail duties, but never just a --

15 **MR. LAYRISSON:**

16 Well, let's just ask for a letter giving more specific job duties, and we'll  
17 review again in August.

18 HAYNESVILLE POLICE DEPARTMENT

19 MARCUS KELLY

20 **MR. LAYRISSON:**

21 The next item on the agenda is the Haynesville PD, school resource officer.

22 **MS. DEBENEDETTO:**

23 And the same thing kind of with this one. He is simply listed as a school  
24 resource officer. And, there again, I think the -- the standard has been that we  
25 question, okay, well, if you're a school resource officer, what are you doing in

1 the off months, or particularly in this environment, what have you been doing  
2 since March the whenever when the schools shut down. So I think we need a  
3 little bit more --

4 **MS. DODGE:**

5 Well, another thing too on this one, I mean, the last one that we had with a  
6 school resource officer, we -- we were able to verify that that agency -- that they  
7 did nothing else but that. They took the summer off. They didn't have any other  
8 duties.

9 In this application, there's a little bit of contradiction here, because they put  
10 the duties -- they put a job description in here, and they put the duties of a police  
11 officer, that he makes arrests, he patrols the streets. He, you know -- the town of  
12 Haynesville, it's just another law enforcement agency. That is the job  
13 description for a police officer. However, when you look at the minutes, which  
14 they submitted as -- for his hire, they are hiring him as a school resource officer.  
15 So there's a contradiction. In the job description, it doesn't say anything about  
16 patrolling the schools. So there's like a contradiction here.

17 **MS. OBY:**

18 Well, I'm -- I'm looking at the -- we're talking about Marcus Kelly?

19 **MS. DEBENEDETTO:**

20 Yes.

21 **MS. DIEZ:**

22 Yes.

23 **MS. OBY:**

24 The minutes, it looks like says that Marcus -- they're to hire Marcus Kelly as  
25 a police officer and school resource officer. It says both.

1 **MS. DODGE:**

2 It says, hire him with the Haynesville Police Department as the school  
3 resource officer.

4 **MR. SCHEXNAYDER:**

5 She's reading the next sentence.

6 **MS. OBY:**

7 Oh, I'm reading the minutes from the -- from the -- the Council meeting.

8 **MS. DODGE:**

9 Oh, I see. I see.

10 **MR. SCHEXNAYDER:**

11 Yes. Stephanie is looking at it.

12 **MS. DODGE:**

13 Yes, I see that. He's a police officer and a school resource officer.

14 **MR. LAYRISSON:**

15 I make a motion that we approve Marcus Kelly for supplemental pay.

16 **MS. HUTCHINSON:**

17 I'll second based on that he is a police officer and a school resource officer,  
18 not just a resource officer.

19 **MS. DEBENEDETTO:**

20 Candace?

21 **MS. OBY:**

22 Oh, I -- do I need to -- aye.

23 **MR. LAYRISSON:**

24 Aye.

25 **MS. HUTCHINSON:**

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Aye.

WARD 3 MARSHAL

KEVIN REEVES

**MR. LAYRISSON:**

The next item on the agenda, Ward 3 Marshal, Kevin Reeves.

**MS. DEBENEDETTO:**

What -- this one is the chief?

**MS. DODGE:**

I just wanted to get some clarification. First of all, we need a town code for Ward 3 Marshal. We have -- that is not one of our towns.

**MS. DEBENEDETTO:**

This is a new town.

**MS. DODGE:**

It's a new town, so we need to designate a town code for him.

But, also, the -- they -- on the front of the application, they put his employment date of 2/4/20, and on the letter from the Marshal it says that he is a commissioned -- he was a commissioned reserve deputy on 3/5/2005, until he was hired as a full-time Deputy Marshal on February 6, 2020. So if you look at -- I had them get a letter from POST because his POST certification is from, I believe, 2002.

**MS. DEBENEDETTO:**

Two thousand.

**MS. DODGE:**

His POST certification is from 2002 (sic), so I had them get a letter from POST telling me that his certification is still valid, because he was reserve for



1 fifteen years before he became a police officer. So I wanted to make sure that he  
2 was all up to date with his POST, and this is the first time I've ever seen this in a  
3 letter from POST, which has dumbfounded me.

4 It says, according to our records, Kevin Reeves completed the Calcasieu  
5 Regional Police Academy and passed the POST exam on November of 2000,  
6 and unless he has had more than a five-year break in service -- break in law  
7 enforcement service, his POST certification would still be valid. That is so  
8 vague.

9 **MS. DIEZ:**

10 Just the fact that it's prior service --

11 **MS. DODGE:**

12 They usually say it is or it's not.

13 **MS. DEBENEDETTO:**

14 His prior service is as a reserve.

15 **MS. DODGE:**

16 Right, which doesn't qualify for prior service.

17 **MS. DEBENEDETTO:**

18 So fifteen years of the twenty years since his POST, he's been a reserve  
19 deputy, not a full-time police officer, so does that count?

20 **MR. LAYRISSON:**

21 As long as he kept his qualifications. Because he's got his one year of prior  
22 service with the Calcasieu Parish, right?

23 **MS. DEBENEDETTO:**

24 He does, right.

25 **MR. LAYRISSON:**

1 From '98 to '02.

2 **MS. DODGE:**

3 Right.

4 **MR. LAYRISSON:**

5 So, as long as one stays current as a reserve and does their firearms  
6 qualifications every year and their minimum CEUs, they would still be eligible  
7 for supplemental pay.

8 **MS. DODGE:**

9 Okay. So that -- I just wanted a clarification on that, and somebody else --

10 **MR. LAYRISSON:**

11 And POST would have known, when they sent the letter, they would have  
12 told you, he hasn't qualified since 2001.

13 **MS. DODGE:**

14 Well, yeah. Most of the time, they -- when they send the letter, they say,  
15 he's up to date and he's qualified, and I didn't understand this unless he has a  
16 five-year break in service. They've never said that before.

17 **MR. LAYRISSON:**

18 He looks good to me.

19 **MS. DEBENEDETTO:**

20 Will you make a motion to --

21 **MR. LAYRISSON:**

22 I make a motion that we approve Kevin -- no, who is this?

23 **MS. DEBENEDETTO:**

24 Kevin Reeves.

25 **MR. LAYRISSON:**

1 Kevin Reeves for supplemental pay.

2 **MS. HUTCHINSON:**

3 I'll second.

4 **MR. LAYRISSON:**

5 Aye.

6 **MS. HUTCHINSON:**

7 Aye.

8 **MS. OBY:**

9 Aye.

10 VILLAGE OF GOLDONNA

11 JOSEPH HINES

12 **MR. LAYRISSON:**

13 The next item on the agenda is the Village of --

14 **MS. DEBENEDETTO:**

15 Goldonna.

16 **MR. LAYRISSON:**

17 -- Goldonna. What do we have on Mr. Hines?

18 **MS. DEBENEDETTO:**

19 And this is another one. This is a new town.

20 **MS. DODGE:**

21 New town, yes.

22 **MS. DEBENEDETTO:**

23 And I think everything looked all right, other than the fact that it's a new -- a  
24 new town and we always bring those before the Board, and we like for someone  
25 who stays up to date with it, that this is a real -- a real chief of police.

1 **MR. LAYRISSON:**

2 You need a town code.

3 **MS. DODGE:**

4 And, also, he's an elected chief of police too, so...

5 **MS. HUTCHINSON:**

6 So, really --

7 **MS. DODGE:**

8 He's an elected chief of police, and he does not work 40 hours a week.

9 **MS. DEBENEDETTO:**

10 Yes.

11 **MS. HUTCHINSON:**

12 I thought you had to be full time.

13 **MS. DODGE:**

14 Not if you're elected.

15 **MR. LAYRISSON:**

16 Not an elected official.

17 **MS. HUTCHINSON:**

18 Not elected, okay.

19 **MR. LAYRISSON:**

20 Everything look good to y'all?

21 **MS. DEBENEDETTO:**

22 We -- we questioned the fact on his application that they say his  
23 employment is full time, yet, he works less than 40 hours a week, and I will just  
24 say that we had a couple of phone calls, and although the -- the mayor did sign it,  
25 there was a lot of trepidation about whether or not his -- the number of hours he

1 actually worked was qualifying for full time.

2 **MR. LAYRISSON:**

3 I think the elected makes him okay, right, Paul?

4 **MS. HUTCHINSON:**

5 I thought it wouldn't matter if he was elected.

6 **MR. SCHEXNAYDER:**

7 Yeah.

8 **MR. LAYRISSON:**

9 Yeah. Elected officials aren't required to work full time.

10 I'll make a motion that we approve Mr. Hines.

11 **MS. HUTCHINSON:**

12 I'll second.

13 **MR. LAYRISSON:**

14 Aye.

15 **MS. HUTCHINSON:**

16 Aye.

17 **MS. OBY:**

18 Aye, aye.

19 ATHENS POLICE DEPARTMENT

20 WARREN WATKINS

21 **MR. LAYRISSON:**

22 The next item on the agenda, the Athens PD, Warren Watkins.

23 **MS. DODGE:**

24 Town code.

25 **MR. LAYRISSON:**

1 Everything look good to y'all?

2 **MS. DODGE:**

3 Yeah. It's -- he did a POST refresher. He's -- he's all -- I mean, everything  
4 is good in the application. I just didn't have a town code, so...

5 **MS. HUTCHINSON:**

6 Have y'all reached out to get the -- who makes the town code?

7 **MS. DEBENEDETTO:**

8 We do. It's -- it's -- you know, that's the office terminology, but the fact that  
9 this is a new department who is just first receiving, this is the first time they've  
10 had an employee receiving supplemental pay, we like to bring those to the  
11 Board.

12 **MS. HUTCHINSON:**

13 And I take it that they're just one-man police?

14 **MS. DEBENEDETTO:**

15 Oh, yeah. We have a lot -- we have a lot of just one-man --

16 **MS. HUTCHINSON:**

17 Well, right, but I was just making sure that these are all -- it's only the one  
18 person.

19 **MS. DEBENEDETTO:**

20 Right.

21 **MS. HUTCHINSON:**

22 Okay.

23 **MS. DEBENEDETTO:**

24 Stephanie, you don't have anything else --

25 **MS. DODGE:**

1 Uh-huh.

2 **MS. DEBENEDETTO:**

3 -- that concerns you? No.

4 **MR. LAYRISSON:**

5 I'll make the motion that we approve Mr. Watkins.

6 **MS. HUTCHINSON:**

7 I'll second.

8 **MR. LAYRISSON:**

9 Aye.

10 **MS. HUTCHINSON:**

11 Aye.

12 **MS. OBY:**

13 Aye.

14 **MS. DEBENEDETTO:**

15 And then --

16 ABITA SPRINGS MARSHAL

17 RICHARD BONNET

18 **MR. LAYRISSON:**

19 Let's see. The next item on the agenda is the Abita Springs Marshal.

20 **MS. DODGE:**

21 Yes.

22 **MS. DEBENEDETTO:**

23 And, again, this is a new marshal's office.

24 **MS. DODGE:**

25 New town code.

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**MR. LAYRISSON:**

Everything look good on it?

**MS. DODGE:**

Uh-huh.

**MS. DEBENEDETTO:**

He is a -- he was appointed and then became elected. He is full time.

**MS. DODGE:**

Yeah.

**MR. LAYRISSON:**

I'll make a motion that we approve Mr. Bonnet.

**MS. HUTCHINSON:**

I'll second.

**MR. LAYRISSON:**

Aye.

**MS. HUTCHINSON:**

Aye.

**MS. OBY:**

Aye.

LAYOFFS DUE TO COVID-19  
DENHAM SPRINGS MARSHAL (3)  
SULPHUR PD (2)  
VILLE PLATTE PD (1)

**MR. LAYRISSON:**

The next item on the agenda is layoffs due to the COVID-19.

**MS. DEBENEDETTO:**



1           Okay. Let me bring this up --

2           **MS. DODGE:**

3           Did we do Athens?

4           **MS. DEBENEDETTO:**

5           Yeah.

6           **MS. DODGE:**

7           Okay.

8           **MS. DEBENEDETTO:**

9           Right when the stay-at-home order started, we got a lot of calls, well, what  
10          do we do if we have supplemental pay recipients who are unable to come to  
11          work because either they've tested positive or, you know, for some other reason  
12          or -- we talked, because it was -- of course, all happened right as supplemental  
13          pay was about to close for the month, and so we talked with our chain of  
14          command, and they all agreed that, you know, we should go ahead -- we  
15          shouldn't penalize anybody because they could not work due to COVID-19. We  
16          didn't think at that time that we'd still be sitting here today looking at these  
17          issues.

18          We still have -- we routinely get some emails that's -- and it's typically the  
19          people in the jails where some of these really smaller municipalities perhaps that  
20          have a jail, well, they don't have anybody in their jails right now because of  
21          whatever they've -- you know, and so they didn't have any -- they had people that  
22          were not working. And, again, we have continued to -- we haven't taken  
23          anybody off at this time. We do have, like I said, some emails.

24          But now we're getting some emails that are saying, okay, well, we're going  
25          into layoffs now. Because of COVID-19, we're laying off everybody who

1 worked, you know, here or there. And I -- I have questioned a couple of them to  
2 say, well, do you expect that when we get to Phase 3 or whatever, you're going  
3 to reopen? And a lot of them are saying they have no guarantee of that.

4 **MS. HUTCHINSON:**

5 If they're laid off, they shouldn't be getting supplemental pay.

6 **MS. DEBENEDETTO:**

7 I'm sorry?

8 **MS. HUTCHINSON:**

9 If they're laid off, they're --

10 **MS. DEBENEDETTO:**

11 Well, see, that's the first time -- you know, people who were not working, of  
12 course, they were still getting paid by their town or some type of approved leave  
13 from their town --

14 **MS. HUTCHINSON:**

15 Right.

16 **MS. DEBENEDETTO:**

17 -- so they could stay on. But now when we get into an actual layoff where  
18 there's going to be an action --

19 **MS. HUTCHINSON:**

20 Right. You're no longer employed.

21 **MS. DEBENEDETTO:**

22 -- and the town is not going to be paying them --

23 **MS. HUTCHINSON:**

24 Then they have to -- isn't there a requirement to make so much money?

25 **MR. SCHEXNAYDER:**

1           Yeah, full time.

2           **MS. HUTCHINSON**

3           Yeah. So they're no longer eligible and need to be taken off.

4           **MS. DEBENEDETTO:**

5           Yeah. So we just wanted to bring that up and get a motion that anytime --  
6           that as long as the town was still paying them to some -- any type of federal  
7           assistance or leave approved --

8           **MS. HUTCHINSON:**

9           Oh, we wouldn't know that. To me, they're still being paid --

10          **MS. DEBENEDETTO:**

11          Well, that's what I'm saying, as long as they're still --

12          **MR. SCHEXNAYDER:**

13          That's what she's saying.

14          **MS. DEBENEDETTO:**

15          -- being paid by the town, whether they're working or not --

16          **MR. LAYRISSON:**

17          All of those departments have made adjustments --

18          **MS. DEBENEDETTO:**

19          Right. But if they go into a layoff situation --

20          **MR. LAYRISSON:**

21          They ought to be terminated.

22          **MS. DEBENEDETTO:**

23          -- then we will terminate them. Okay.

24                   NEW APPLICATION SUBMITTED FOR APPROVAL (155)

25          **MR. LAYRISSON:**

1           Anybody have other business before we close?

2           **MS. HUTCHINSON:**

3           Well, we have -- don't we have to approve these?

4           **MS. DEBENEDETTO:**

5           Yeah, new applications.

6           **MR. LAYRISSON:**

7           I make a motion we approve the new applications.

8           **MS. HUTCHINSON:**

9           Second.

10          **MR. LAYRISSON:**

11          Aye.

12          **MS. HUTCHINSON:**

13          Aye.

14          **MS. OBY:**

15          Aye.

16          **MR. LAYRISSON:**

17          Any other business?

18          **MS. DEBENEDETTO:**

19          I do believe that's it.

20          **MR. LAYRISSON:**

21          Meeting adjourned.

22

23

**THE MEETING WAS ADJOURNED**

24

25

CERTIFICATE

I, MICHELLE S. ABADIE, Certified Court Reporter in and for the State of Louisiana, as the officer before whom this hearing was reported, and during which, testimony was taken after duly being sworn by me, that on May 28, 2020, a meeting for the Municipal Police Officers' Supplemental Board was held, that this testimony and matters were reported by me, was prepared and transcribed by me, and that the foregoing pages, numbered 1 through 60, inclusive, is a true and correct transcript to the best of my ability and understanding; that I am not related to counsel or to the parties herein, nor am I otherwise interested in the outcome of this proceeding.

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MICHELLE S. ABADIE, CCR #24032  
CERTIFIED COURT REPORTER

\*\*\*\*\*

APPROVAL OF THE MINUTES

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Bry Layrisson, Chairman

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MICHELLE S. ABADIE, CCR  
CERTIFIED COURT REPORTER