



ACTION/MINUTES

LOUISIANA STATE POLICE COMMISSION
GENERAL BUSINESS MEETING
THURSDAY, OCTOBER 13, 2022
9:00 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 9:05 A.M. on Thursday, October 13, 2022.

II. Roll Call

Present were Chairman Eulis Simien, Jr., Vice-Chairman Brian Crawford, Commissioners Leonard Knapp, Jr., Monty Montelongo, and Jared Caruso-Riecke. Absent were Sabrina Richardson and Harold Pierite, Sr. There was a quorum. Additionally, Commission Referee Lenore Feeney, Deputy Director Aarika Dorsey, and Executive Director Jason Hannaman were present.

Executive Director Jason Hannaman introduced Deputy Director Aarika Dorsey.

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 to speak on items on the agenda were received. Comments were deferred for those directly involved in agenda items to speak on the specific item as it came up on the agenda.

Mr. Robert Burns of Sound Off Louisiana appeared and offered comments in opposition to the approval of agenda items #2 and #3. Additionally, he alleged that LSP and the Superintendent are showing an extreme preference for promoting minorities and causing an increase in resignations and retirements.

VI. Business

1. Consideration of the meeting minutes from July 14, 2022.

On motion duly made by Vice-Chairman Crawford, seconded, and unanimously passed; the Commission unanimously voted to approve the meeting minutes from July 14, 2022.

In Favor: All

Opposed: None

2. Consideration of a motion to ratify the Executive Director's interim reauthorization of (7) part-time WAE positions through October 13, 2022, in accordance with SPC Rule 3.1(n).

Chairman Simien advised that the motion was a ratification of the action up until today and had no bearing on the question of the merits of the issues.

On motion duly made by Commissioner Knapp, seconded, and unanimously passed; the Commission voted to approve the motion and ratify the Executive Director's interim reauthorization of (7) part-time WAE positions through October 13, 2022.

In Favor: All

Opposed: None

3. Consideration of a request from the Office of State Police for the two-year reauthorization of (10) part-time WAE positions.

Lt. Colonel Chavez Cammon, Assistant Superintendent and Chief of Staff, appeared on the behalf of the Office of State Police; he advised the department's support for the request. Lt. Colonel Cammon stated that the WAE program and positions ensure critical functions remain covered by rehired retirees and asked the Commission to continue to approve the reauthorization of these WAE positions due to the agency being short-staffed.

Commissioner Riecke recommended that the Commission receive quarterly reauthorization requests rather than monthly. Lt. Colonel Cammon agreed to review all upcoming WAE expiration dates and to submit the reauthorization review requests quarterly.

On motion duly made by Commissioner Riecke, seconded, and unanimously passed; the Commission voted to approve the request from the Office of State Police for the two-year reauthorization of (10) part-time WAE positions.

In Favor: All

Opposed: None

4. Consideration of motions filed in the matter of Cody Williams (Department of Public Safety and Corrections, Office of State Police), Docket No. 22-263-S.

Michele Giroir, DPS Attorney, appeared on behalf of the Department of Public Safety, Office of State Police. Attorney Floyd Falcon appeared on behalf of the appellant, Trooper Cody Williams.

- Oral argument

Attorney Floyd Falcon asked for favorable consideration of the Motion for Summary Disposition. Attorney Michele Giroir advised that there was no opposition presented; the agency did not oppose the motion.

- Executive Session to discuss investigative proceedings regarding allegations of misconduct

On motion duly made by Commissioner Riecke, seconded, and unanimously passed; the Commission voted to go into Executive Session at 9:31 A.M.

Roll Call Vote:

In Favor: Vice-Chairman Crawford, Commissioners Riecke, Knapp, Montelongo, and Chairman Simien

Opposed: None

On motion duly made by Commissioner Knapp, seconded, and unanimously passed; the Commission voted to end Executive Session at 9:37 A.M.

Roll Call Vote:

In Favor: Vice-Chairman Crawford, Commissioners Riecke, Knapp, Montelongo, and Chairman Simien

Opposed: None

- Public discussion of motions filed and possible vote

On motion duly made by Vice-Chairman Crawford, seconded, and unanimously passed; the Commission voted to grant the motion of summary disposition and set aside the eight-hour suspension in the matter of Cody Williams, Docket No. 22-263-5, as well as award the appellant back pay and \$750 in attorney fees.

In Favor: All

Opposed: None

Attorney Floyd Falcon inquired if there would be any Commission action regarding the letter of counseling. Chairman Simien stated it was not an appealable matter.

5. Consideration of motions filed in the matter of Daniel Fontenot (Department of Public Safety and Corrections, Office of State Police), Docket No. 22-260-S.

Michele Giroir, DPS Attorney, appeared on behalf of the Department of Public Safety, Office of State Police. Attorney Michael Antoon appeared on the behalf of the appellant, Master Trooper Daniel Fontenot.

- Oral argument

Attorneys Michael Antoon and Michele Giroir appeared and provided oral arguments on behalf of their respective clients.

- Executive Session to discuss investigative proceedings regarding allegations of misconduct

On motion duly made by Vice-Chairman Crawford, seconded, and unanimously passed; the Commission voted to go into Executive Session at 10:06 A.M.

Roll Call Vote:

In Favor: Vice-Chairman Crawford, Commissioners Riecke, Knapp, Montelongo, and Chairman Simien

Opposed: None

On motion duly made by Chairman Simien, seconded, and unanimously passed; the Commission voted to end Executive Session at 10:13 A.M.

Roll Call Vote:

In Favor: Vice-Chairman Crawford, Commissioners Riecke, Knapp, Montelongo, and Chairman Simien

Opposed: None

- Public discussion of motions filed and possible vote

Commissioner Knapp made a motion that the Commission should deny the Motion for Summary Disposition filed in the matter of Daniel Fontenot, Docket No. 22-260-S; the motion was seconded.

On discussion, Chairman Simien advised that a vote on this issue was not about the merits of the discipline but simply whether the Commission feels that it is in a position to summarily decide those issues without the presentation of evidence.

The Commission unanimously approved the motion of Commissioner Knapp.

In Favor: All

Opposed: None

Following the Executive Session for agenda item #6, Attorney Michael Antoon appeared and lodged an objection for the record to the motion and the ruling of the Commission in the matter of Daniel Fontenot, Docket No. 22-260-S.

6. Consideration of Formal Charges filed by Ashton O'Dwyer, Jr. alleging that members of the Louisiana State Police engaged in criminal misconduct and violated his civil rights.

- Executive Session to discuss investigative proceedings regarding allegations of misconduct

On motion duly made by Commissioner Riecke, seconded, and unanimously passed; the Commission voted to go into Executive Session at 10:16 A.M.

Roll Call Vote:

In Favor: Vice-Chairman Crawford, Commissioners Riecke, Knapp, Montelongo, and Chairman Simien

Opposed: None

On motion duly made by Vice-Chairman Crawford, seconded, and unanimously passed; the Commission voted to end Executive Session at 10:36 A.M.

Roll Call Vote:

In Favor: Vice-Chairman Crawford, Commissioners Riecke, Knapp, Montelongo, and Chairman Simien

Opposed: None

- Public discussion and possible vote

Commissioner Riecke made a motion that the Commission should decline to investigate under SPC Rule 16.5(a)1.

Commissioner Riecke expressed appreciation to Executive Director Jason Hannaman for his handling of the voluminous material received in this matter. Mr. Riecke advised that, after reviewing all of the information, he did not see that the claims made were violations of Article 10 sections 41-51 of the Louisiana Constitution or the existing State Police Commission rules.

The motion was seconded.

Chairman Simien asked that Executive Director Hannaman provide an attestation that he had provided the Commission with all of the documents and communications from Mr. O'Dwyer. Mr. Hannaman confirmed that all known correspondence prior to and since Mr. O'Dwyer's last appearance before the Commission in June had been shared and also placed in the meeting binders; the binders also included the most recent emails that were received yesterday and early this morning.

The Commission unanimously approved the motion of Commissioner Riecke.

In Favor: All

Opposed: None

7. Public Hearing to Consider Proposed Changes to State Police Commission Rules as detailed in General Circular No. 228. (Item tabled from the July 14th meeting.)

The Commission conducted a public hearing to consider adopting proposed changes to State Police Rules as detailed in General Circular No. 228.

- Public Comments

Chairman Simien advised that the matter had been previously tabled it is now back up for review.

Commissioner Montelongo invited Lt. Colonel Chavez Cammon to discuss the newly created LSP Professional Standards and Compliance section that may correlate with some of the proposed rule changes.

Lt. Colonel Cammon advised that the department launched a new Professional Standards and Compliance section which focuses on unifying the department's organizational vision across the board. It also deals with impartial policing practices as well as de-escalation training. The Professional Standards and Compliance section will focus on tying all these pieces together and also taking a top to bottom look at all LSP policies to ensure that the department is holding Troopers accountable, focusing on transparency, and building working relationships with the community.

Commissioner Montelongo informed the Commission that within the last fiscal year State Police had made seventeen (17) changes and/or additions to policy and procedures; those changes were in line with our common goal of improving State Police.

Commissioner Riecke expressed concern to Lt. Colonel Cammon about not being briefed when the changes are implemented in State Police. Some of the rules up for consideration had been in development for up to two years

through back-and-forth discussions with all parties. Mr. Riecke advised his concern that the Commission may be considering some rule changes today that may be redundant, unnecessary, or in conflict with what the agency is proposing or what may be coming down the pipeline. He advised that the commissioners would like to be fully briefed on the changes going forward.

Lt Colonel Cammon advised that the department is working through the feedback and recommendation as it relates to the Department of Justice (DOJ) and The Bowman Group's assessment. He understands the request and will look to have more briefing opportunities with the Commission going forward.

Commissioner Riecke asked that by the next meeting there would at least be a timeline on when State Police can get back to the Commission on the rule changes. He advised that he wasn't comfortable voting on the rule changes today but also doesn't want to indefinitely delay necessary changes; therefore, a timeline is needed.

Lt. Colonel Cammon assured that a response will be given before the next meeting.

Chairman Simien agreed with Commissioner Riecke on not feeling comfortable about making a vote today on all the proposed changes and prefers to defer until a timeline is produced. He clarified his belief that the proposed changes to Chapters 1 & 12 relating to reprimands could be decided today due to the focused nature of those edits. The chairman advised that the Commission needs more information on what LSP has done and what changes have taken place so that the Commission can ensure that some of the unfortunate events that have occurred don't occur in the future; the Commission needs a timeline from the Colonel on when the Commission can be briefed.

Consideration of Proposed Changes

Chairman Simien made a motion that the Commission table all of General Circular No. 228 with the exception of that part that relates to changes to Chapter 1 and Chapter 12. The motion was seconded.

Commissioner Montelongo offered a friendly amendment to add consideration of Chapter 2 at this time. Chairman Simien rejected that as a friendly amendment to his motion citing a desire to have more commissioners present for that discussion.

Commissioner Montelongo made a substitute motion that would add Chapter 2 to the rules being considered and not tabled. The motion was seconded by Commissioner Knapp for purposes of discussion.

Commissioner Knapp read the proposed change outlined in Chapter 2. Commissioner Riecke shared his thoughts and how it would impact the elected member; he further advised that in the past that the elected member had served as chairman. Chairman Simien advised that the merits are not on discussion but rather should the Commission hear it now or hear it later with

more commissioners present? Commissioner Riecke advised he would rather everyone be present for the discussion and hear it later.

On the substitute motion to add consideration of changes to Chapter 2 at this time, the motion failed.

In Favor: (2) commissioners

Opposed: (3) commissioners

On the original motion made by Chairman Simien, seconded, and unanimously passed; the Commission voted to table General Circular No. 228 with the exception of the proposed changes to Chapters 1 and 12.

In Favor: All

Opposed: None

Chairman Simien made a motion to adopt the proposed changes to Chapters 1 and 12 as promulgated in General Circular No. 228 with a prospective effective date. The motion was seconded.

As part of public comment, LSTA President Hackley Willis thanked the Commission for including the association in the rule change discussion and advised that the association is in full support of the amendments to Chapters 1 and 12.

Lt. Colonel Cammon advised that State Police is also in full support of the amendments to Chapters 1 and 12.

The motion to adopt the proposed changes to Chapters 1 and 12 as promulgated in General Circular No. 228 was unanimously approved with a prospective effective date.

In Favor: All

Opposed: None

Chairman Simien further clarified that the other proposed changes outlined in General Circular No. 228 remain tabled with the understanding that the department will provide the Commission a proposed timetable in the very near future so that the Commission can get a full briefing on changes within the department.

VII. Director's Report

Budget Closeout

The attention of the Commission was directed to the 2021/2022 final budget closeout. In the final summary, the Commission finished last year with just under 1.5 percent remaining of the total appropriation. There were no questions regarding the report.

Commission Expenditures:

The attention of the Commission was directed to the Monthly Expenditure Report that had been provided for its review. There were no questions regarding the report.

FY 23/24 Executive Budget:

The Proposed Budget Request for Fiscal Year 2023/2024 was presented to the Commission. The Executive Director advised that the request, due November 1st, is essentially presented at a continuation level; it consists of standard inflationary and annual performance adjustment requests and a nominal increase to travel, operating services, and supplies. The total request would be approximately four percent above our current level. There were no other questions regarding the report.

On motion duly made by Commission Knapp, seconded, and unanimously passed; the Commission voted to approve the budget recommendation proposed by the Executive Director.

Promotional Exam

The commissioners were advised that the November Promotional Exam is set for November 21, 2022. The deadline for eligible classified employees to apply is October 24th, 2022. There are 170 Troopers registered to take the exam as of the date of the meeting.

Annual Training Requirements

The commissioners were reminded that their annual Ethics and Preventing Sexual Harassment training courses are due by December 31, 2022.

Next Meeting:

The next regular business meeting is set for November 10th, 2022 at 9:00 A.M.; however, there are some scheduling conflicts. The commissioners will be advised with an update.

VIII. 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.)

There was no request by employees or others to address the Commission on matters, not on the agenda.

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 11:04 A.M. on Thursday, October 13, 2022.

Respectfully Submitted,


Jason Hannaman, Executive Director


Eulis Simien, Jr. Chairman