



AGENDA/MINUTES

LOUISIANA STATE POLICE COMMISSION  
GENERAL BUSINESS MEETING  
THURSDAY, FEBRUARY 13, 2020  
10:00 A.M.

John Bel Edwards  
Governor

Jason Hannaman  
Executive Director

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

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I. Call to Order

The State Police Commission convened its monthly general business meeting at 10:11 A.M. on Thursday, February 13, 2020.

II. Roll Call

Present were Chairman Eulis Simien, Jr., Vice-Chairman Leonard Knapp, Jr.; Commissioners Brian Crawford, Robert Mire, Nelson Cantrelle, Jr., and Jared Caruso-Riecke, Sr. There was a quorum. Absent was Harold Pierite, Sr. Additionally, Commission Referee Lenore Feeny and Executive Director Jason Hannaman were present.

III. Moment of Silence

A moment of silence was observed.

IV. Pledge of Allegiance

Chairman Eulis Simien, Jr. led the Pledge of Allegiance.

V. Opportunity to Address the Commission by employees or others concerning items on the agenda. (Please submit a speaker request form prior to the meeting being called to order.)

Two requests were received and were deferred, without objection, to be heard during discussion of business item #4.

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VI. Business

1. Election of Officers – per SPC Rule 2.1(b):

Chairman: The Commission re-elected Commissioner Eulis Simien, Jr. to serve as Chairman.

**Roll Call Vote:**

In Favor: Jared Caruso-Riecke, Nelson Cantrelle, Jr., Brian Crawford, Leonard Knapp, Jr., and Robert Mire

Abstained: Eulis Simien, Jr.

Opposed: None

Vice-Chairman: The Commission elected Commissioner Brian Crawford to serve as Vice-Chairman.

**Roll Call Vote:**

In Favor: Jared Caruso-Riecke, Nelson Cantrelle, Jr., Leonard Knapp, Jr., Eulis Simien, Jr., and Robert Mire

Abstained: Brian Crawford

Opposed: None

2. Consideration of the December 12, 2019 minutes.

On motion duly made by Commissioner Knapp, seconded, and passed; the Commission voted to approve the minutes from the December 12, 2019 meeting.

3. Consideration of a resolution to honor the accomplishments and legacy of former Commissioner Joe Cage.

On motion duly made by Chairman Simien, seconded, and passed; the Commission unanimously voted to approve a resolution to honor the service of former Commissioner Joseph Cage.

**Roll Call Vote:**

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

4. Public Hearing to Consider Proposed Changes to Chapter 11 and Rule 12.4 of the State Police Commission Rules. (Details contained in General Circular No. 203.)

The Commission conducted a public hearing to consider adopting proposed changes to Chapter 11 and Rule 12.4 of the State Police Commission rules as detailed in General Circular No. 203.

- a) Public Comments

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

Chairman Simien asked for a 10-minute break at 10:14 A.M.

The meeting was called back into session at 10:28 A.M.

**Roll Call Vote:**

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

- b) Consideration of Proposed Changes

On motion duly made by Commissioner Mire, seconded, and passed; the Commission voted to table proposed new rule 11.13.1 for discussion at a later time.

On motion duly made by Commissioner Knapp, seconded, and passed; the Commission approved adopting amendments to Rules 11.1 – 11.8, 11.11 – 11.13, 11.14 – 11.18, 11.20 – 11.28, and 11.30 – 11.34 as published in General Circular No. 203.

**Roll Call Vote:**

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

Opposed: None

Vice-Chairman Crawford offered a motion that would give an opportunity to the parties to submit in writing to the Commission their requested changes and allow the Commission an additional month to review those changes and digest them prior to next month's meeting.

Chairman Simien offered an amended version of Vice-Chairman Crawford's motion that would require a deadline of 12 days for parties to submit in writing any requested changes to Chapter 11 rules so that changes could be promogulated in time to address them at the next meeting.

Vice-Chairman Crawford withdrew his motion and seconded the Chairman's motion.

On motion duly made by Chairman Simien, seconded, and passed; the Commission approved a deadline of 12 days for parties to submit in writing any requested changes to Chapter 11 rules so that changes could be promogulated in time to address them at the next meeting.

**Roll Call Vote:**

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

Opposed: None

On motion duly made by Commissioner Knapp, seconded, and passed; the Commission voted to consider 12.4(f) as published and amend Rule 12.4(d) as follows:

*12.4 Administrative Leave Pending Investigation*

(a) ...

(b) ...

(c) ...

(d) *An action taken under this rule shall not exceed 400 working hours. The 400 regular duty working hours, shall be exhausted prior to utilizing enforced leave.*

**Roll Call Vote:**

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

Opposed: None

Chairman Simien provided an opportunity for public comment on the newly amended proposed Rule 12.4; there were no additional comments.

On motion duly made by Commissioner Riecke, seconded, and unanimously passed; the Commission approved adoption of the final version of Rule 12.4.

5. Discussion of the Investigation Report prepared by the Executive Director following charges made by Master Trooper Dean Coates and Master Trooper Kevin Sulcer alleging violations of State Police Commission Rules: 6.4, 6.9, 6.14(a), 6.14(b), 19.3(a), and 19.5 by the Department of Public Safety, Office of State Police.

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

On motion duly made by Chairman Simien, seconded, and passed; the Commission voted to go into Executive Session at 11:58 A.M.

**Roll Call Vote:**

In Favor: Jared Caruso-Riecke, Nelson Cantrelle, Jr., Vice-Chairman Brian Crawford, Leonard Knapp, Jr., Robert Mire, and Chairman Eulis Simien, Jr.  
Opposed: None

On motion duly made by Commissioner Riecke, seconded, and unanimously passed; the Commission voted to end Executive Session at 1:10 P.M.

b) Public discussion of the allegations and possible vote.

On motion duly made by Commissioner Mire, seconded, and passed; the Commission voted to allow each party five minutes to address the Commission.

Attorney Brett Conrad appeared and offered comments on behalf of Master Trooper Dean Coates. DPS Assistant Secretary for the Office of Legal Affairs, Faye Morrison, provided a brief comment on behalf of DPS/Office of State Police.

Commissioner Knapp offered a motion that the Commission finds that the Office of State Police failed to obtain State Police Commission approval prior to withholding performance adjustments in accordance with Rule 17.5 for Fiscal Year 2016-2017 and advises that the issue can still be presented to the Commission if so requested by the administration; additionally, with the exception of State Police Commission Rule 6.7(a), and 6.14, the Commission finds that the remaining Chapter 6 rules dealing with service tenure have not been followed and advises that this issue can also be presented to the Commission if so requested. The motion was seconded.

Chairman Simien offered a friendly amendment to the motion to include that despite those violations, this finding does not include any interpretation of the meaning of any Chapter 6 rules and particularly the Commission is not interpreting the meaning of Rule 6.9 at this time. The friendly amendment to Commissioner Knapp's motion was seconded and unanimously passed.

During public comments, Chairman Simien advised his belief that the department does have the right to do a layoff avoidance measure; however, in order to do that layoff avoidance measure the department is required to come before this commission and seek our authority to do that even if there is an Executive Order. An Executive Order does not eliminate the obligation on the department to come to us to seek a layoff avoidance determination by demonstrating that it doesn't have the funds to comply with what those rules require of it. The Chairman also advised that he agreed with the motion that, at this point, the department still has the ability to do that and we will consider that if the appropriate evidence is submitted.

On the motion duly made by Mr. Knapp, amended, seconded, and unanimously passed; the Commission finds that the Office of State Police failed to obtain State Police Commission approval prior to withholding performance adjustments in accordance with Rule 17.5 for Fiscal Year 2016-2017 and advises that the issue can still be presented to the Commission if so requested by the administration; additionally, with the exception of State Police Commission Rule 6.7(a), and 6.14, the Commission finds that the remaining Chapter 6 rules dealing with service tenure have not been followed and advises that this issue can also be presented to the Commission if so requested. Despite those violations, this finding does not include any interpretation of the meaning of any Chapter 6 rules and particularly the Commission is not interpreting the meaning of Rule 6.9 at this time.

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VII. Opportunity to Address the Commission by employees or others on matters not on the agenda. (Please submit a speaker request form prior to the meeting being called to order.)  
No Request.

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VIII. Director's Report

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

The 2020 Promotional Exam is scheduled for May 18, 2020; this is not a mandatory retest year. The grades from the 2018 and 2019 exams will be merged with the results for 2020. Additionally, funding has been included in the executive budget request proposed by the governor to offer a second promotional exam for the year; it is tentatively scheduled for November 2020.

The House of Appropriations meeting is currently set for March 11, 2020; the Commission's budget is scheduled for review at that time.

Tier 2.1 Board of Ethics Disclosure forms are due in May; monthly reminders will be sent out for the benefit of the commissioners.

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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 1:22 P.M. on Thursday, February 13, 2020.

Respectfully Submitted,

  
Jason Hannaman, Executive Director

  
Eulis Simien, Jr., Chairman