



ACTIONS/MINUTES

LOUISIANA STATE POLICE COMMISSION
GENERAL BUSINESS MEETING
THURSDAY, APRIL 14, 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 9:01 A.M. on Thursday, April 14, 2022.

II. Roll Call

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

Chairman Eulis Simien, Jr. acknowledged the upcoming retirement of Commissioner Robert Mire. He thanked Commissioner Mire for his tremendous service and dedication to making both the Commission and State Police a better place.

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. The opportunity for comment on Item VI. (4) will be deferred until after the vote on Item VI. (3) (Please submit a speaker request form prior to the meeting being called to order.)

There were no requests by employees or others to address the Commission on matters on the agenda.

VI. Business

1. Consideration of the meeting minutes from February 10, 2022.

On motion duly made by Commissioner Knapp, seconded, and unanimously passed; the Commission voted to adopt the meeting minutes from February 10, 2022.

In Favor: All

Opposed: None

2. Consideration of a request from the Office of State Police for the two-year reauthorization of ten (10) part-time WAE positions. (Representative of the agency to be available to answer any questions of the Commission

Colonel Lamar Davis, LSP Superintendent, appeared on behalf of the Department of Public Safety and Corrections, Office of State Police; he advised the department's support for the request. He updated the commissioners on the upcoming cadet class set to graduate in May and the upcoming academy set to begin in June. He is hopeful that LSP will have another non-commissioned academy in the Spring of 2023. The Colonel stated that the WAE program ensures critical functions remain covered by rehired retirees at a time the department is experiencing a severe deficit of personnel.

Commissioner Knapp requested that the positions be more clearly identified on the attached organizational charts. Vice-Chairman Crawford received clarification from the Colonel regarding the personnel that fill these positions.

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

In Favor: All

Opposed: None

3. Motion to reject changes to previously tabled proposed changes to State Police Commission Rule 14.3 and new rules in Chapters 14 and 15 as detailed in General Circular No. 224 to allow issuance of a new general circular that would include improved and additional changes to Chapters 14, 15, and possibly other Chapters.

On motion duly made by Vice-Chairman Crawford, seconded, and unanimously passed; the Commission voted to reject the previously tabled proposed changes to State Police Commission Rule 14.3 and new rules in Chapters 14 and 15 as detailed in General Circular No. 224 to allow issuance of a new general circular that would include improved and additional changes to Chapters 14, 15, and possibly other chapters.

In Favor: All

Opposed: None

4. Possible public hearing (if the motion fails) to consider previously tabled proposed changes to State Police Commission Rule 14.3 and consider adoption of new rules in Chapters 14 and 15 as detailed in General Circular No. 224. (Item deferred from February meeting.)

- Public Comments
- Consideration of Proposed Changes

No action was taken on this item as a result of the vote on the previous agenda item.

Chairman Simien advised everyone viewing the meeting that the Commission is committed to bringing about changes to the rules that will improve both the Commission and improve the state police service. He also indicated that the rejection of the previously tabled rules is not an indication that the Commission would not be moving forward with changes and Rule addition. Rather, it was simply an indication that the Commission wants to move forward with the right rules after some very productive and detailed discussions with all parties.

Commissioner Knapp inquired about the publication of the next circular for consideration. Chairman Simien indicated that it should be ready for the June agenda.

5. Oral arguments on pre-hearing motions filed in the matter of Albert Paxton (Department of Public Safety and Corrections, Office of State Police), Docket No. 21-258-RV. G. Mennon Campbell, Jr. representing Mr. Paxton. Laura Ellender representing the Office of State Police.

Attorney Laura Ellender and Colonel Lamar Davis appeared on behalf of the Department of Public Safety and Corrections, Office of State Police. Attorney G. Mennon Campbell, Jr. appeared on the behalf of the appellant, Albert Paxton.

- Executive Session 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 9:19 A.M.

Roll Call Vote:

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

Opposed: None

On motion duly made by Commissioner Riecke, seconded, and passed; the Commission voted to end Executive Session on this item at 9:40 A.M.

Roll Call Vote:

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

Opposed: None

- Public discussion and possible vote
Vice-Chairman Crawford moved to defer the motion to strike at this time and move forward with a hearing on that aspect of the appeal as relates to the alleged rule violations of 12.13 at the next meeting in May with other aspects of the appeal and the agency's motion to strike to be heard at a later date. The motion was seconded.

Chairman Simien clarified that deferring the motion to strike does not change the nature of the documents already submitted – that those documents that are already public records will remain so. If the motion passes, the hearing will be solely on the allegations that the notice was insufficient and what should be done if the Commission finds a violation, which was the alleged rule violation in the appellant's claim.

Vice-Chairman Crawford's motion was unanimously passed.

In Favor: All

Opposed: None

Chairman Simien called for a 10-minute break at 9:43 A.M.

The meeting was called back into session at 9:56 A.M.

APPEAL HEARING:

6. In the matter of Carl Cavalier (Department of Public Safety and Corrections, Office of State Police), Docket No. 21-257-S. W. Brett Conrad, Jr. representing Mr. Cavalier. Gail Holland representing the Office of State Police.

Because a request by a member of the public to address the Commission on an agenda item was submitted during the break, before the appeal hearing, Chairman Simien addressed the audience to inform them that the time for requests to speak on agenda items has passed; requests to speak on agenda items should be turned in before the meeting is called to order and the opportunity to speak takes place at the beginning of the meeting.

The Commission conducted a public hearing in the matter Carl Cavalier (Department of Public Safety and Corrections, Office of State Police), Docket No. 21-257-S.

- Public hearing

W. Brett Conrad, Jr. and Jill Craft, represented the appellant, Carl Cavalier, and Gail Holland represented the Department of Public Safety (DPS), Office of State Police.

Referee Lenore Feeney advised the Commission that two witnesses were issued subpoenas and were not present. Attorney Jill Craft moved that those individuals be held in contempt pursuant to Commission rule 13.17.

On motion duly made by Vice-Chairman Crawford, seconded, and unanimously passed; the Commission voted to take the motion for contempt under advisement pursuant to Commission rule 13.17 and while the record is held open additional information may be obtained on their non-appearance.

In Favor: All

Opposed: None

On motion duly made by Commissioner Knapp, seconded, and unanimously passed; the Commission voted to hold the matter open for the continued testimony of these two witnesses upon their later appearance.

In Favor: All

Opposed: None

Attorney Jill Craft moved that the Office of State Police be held in contempt under Commission rule 13.17 for refusing to comply with a lawful subpoena that was issued for the production of documents. Referee Lenore Feeney advised the Commission that there was no motion to quash filed by the department on the subpoena of documents.

- Executive Session to discuss investigative proceedings regarding allegations of misconduct

On motion duly made by Chairman Simien, seconded, and unanimously passed; the Commission voted to enter into Executive Session to discuss allegations of misconduct at 10:20 A.M.

Roll Call Vote:

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

Opposed: None

On motion duly made by Commissioner Riecke, seconded, and unanimously passed; the Commission voted to end Executive Session on this item at 11:07 A.M.

Roll Call Vote:

In Favor: Vice-Chairman Crawford, Commissioners Knapp, Mire, Pierite, Riecke, and Chairman Simien
Opposed: None

- Public discussion of appeal and possible vote
Referee Lenore Feeney advised the commissioners that both parties have agreed to argue contempt motions regarding the two witnesses that did not appear and the documents that were not produced at the next Commission meeting on Thursday, May 12, 2022. A deadline to file any pleadings related to those matters is set for April 28th. Any response to those pleadings is May 5th.

Chairman Simien, under his authority, granted a continuance in the matter of Carl Cavalier, Docket No. 21-257-S. The parties are to review their calendars for an acceptable date in July.

VII. Director's Report

Commission Expenditures:

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

Special Election:

The commissioners were updated about the upcoming special election to fill the unexpired term of the classified member of the Commission in accordance with Revised Statue 42:1409(c). The logistical and budgetary components are under review and the schedule of the election will be coordinated with the Secretary of State's Elections Division. It appears that the Call of Election could occur within the next few weeks.

Promotional Exam:

The Commission was updated about the upcoming promotional exam. The deadline for applying for the May 2022 promotional exam is Monday, April 25, 2022.

FY 22/23 Executive Budget

The commissioners were updated about the status of the FY 22/23 budget request. The Executive Director advised that he will continue to work with the members of the legislature and those committees in the House and Senate to answer any additional questions they may have about the Commission's budget request and hopefully realize the additional funds sought for the deputy director position.

Updates:

The commissioners were advised that their Annual Financial Disclosure Forms are due to the State Board of Ethics by May 15, 2022.

The next regular business meeting will be held on May 12, 2022, and will begin at 9:00 A.M.

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 Chairman Simien, seconded, and unanimously passed; the Commission voted to adjourn at 11:15 A.M. on Thursday, April 14, 2022.

Respectfully Submitted,



Jason Hannaman, Executive Director



Ellis Simien, Jr. Chairman