



ACTIONS/MINUTES

LOUISIANA STATE POLICE COMMISSION
GENERAL BUSINESS MEETING
THURSDAY, FEBRUARY 9, 2023
9:30 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*

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- I. Call to Order
The State Police Commission convened its monthly general business meeting at 9:30 A.M. on Thursday, February 9, 2023.
 - II. Roll Call
Present were Vice-Chairman Brian Crawford, Commissioners Monty Montelongo, Jared Caruso-Riecke, and Bernell Nevil, Jr. Absent was Harold Pierite, Sr. There was a quorum. Additionally, Commission Referee Lenore Feeney, Deputy Director Aarika Dorsey, and Executive Director Jason Hannaman were present. Chairman Eulis Simien, Jr., arrived at 9:53 A.M.
 - III. Moment of Silence
A moment of silence was observed.
 - IV. Pledge of Allegiance
Vice-Chairman Brian Crawford 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.)
No requests were received.
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VI. Business

1. Consideration of the meeting minutes from January 12, 2023
On motion duly made by Commissioner Riecke, seconded, and unanimously passed; the Commission voted to approve the meeting minutes from January 12, 2023.
In Favor: All
Opposed: None
Not Present: Chairman Simien
2. Consideration of a request from the Office of State Police for reinstatement of 4,207.27 hours of sick leave for State Police Master Trooper Michael Narcisse per SPC Rule 11.21.1 (Representative of the agency to be available to answer any questions of the Commission.)
Lt. Colonel Jody Hasselback, Deputy Superintendent—Patrol, appeared on the behalf of the Department of Public Safety, Office of State Police, and advised the department's support for the request.

Commissioner Montelongo made a motion to approve the reinstatement of 4,207.27 hours of sick leave for State Police Master Trooper Michael Narcisse; his motion was seconded.

Vice-Chairman Crawford spoke in favor of the motion and acknowledged the sacrifices made by members of the state police service.

The Commission voted to approve Commissioner Montelongo's motion.

In Favor: All

Opposed: None

Not Present: Chairman Simien

3. Consideration of a request from the Office of State Police for the two-year reauthorization of twenty-one (21) part-time WAE positions. (Representative of the agency to be available to answer any questions of the Commission.)

Lt. Colonel Jody Hasselback, Deputy Superintendent—Patrol, appeared on behalf of the Office of State Police; he advised the department's support for the request. He 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 (21) part-time WAE positions.

Chairman Simien inquired about the average number of hours that the expiring part-time WAE position normally work. Lt. Colonel Hasselback responded on the part-time positions that are up for renewal work on average around 30-32 hours per week.

Commissioner Montelongo brought up the option for WAE renewals to be completed every fiscal year starting in July. Lt. Colonel Hasselback stated the department would not be opposed to this option. He also committed that the department would work harder to ensure that all needed renewal requests would be made at that time.

- 3(a). On motion duly made by Chairman Simien, seconded, and unanimously passed; the Commission voted to add to the agenda the consideration of a requirement that all SPC WAE reapprovals be brought up for consideration on an annual basis.

Roll Call Vote:

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

Opposed: None

On motion duly made by Commission Montelongo, seconded, and unanimously passed; the Commission voted to require WAE renewals to be set at the expression of the Commission approximately annually.

In Favor: All

Opposed: None

- 3(b). On motion duly made by Chairman Simien, seconded, and unanimously passed; the Commission voted to expand the agenda to address the question of whether there should be an exemption to the prohibition of WAEs performing public safety tasks during the Mardi Gras season throughout the state of Louisiana.

Roll Call Vote:

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

Opposed: None

Commissioner Montelongo made a motion for the Commission to exempt the WAE job duty authorizations so that WAEs can assist in the public safety mission of State Police during the Mardi Gras season within the state of Louisiana with immediate effect and with an exception to the approved hourly rate; his motion was seconded.

Chairman Simien commented that the department must be more proactive on the front end to deal with these issues. Chairman Simien advised that he would like to see statistical data similar to the data previously provided on WAE positions on the usage of WAE positions for Mardi Gras details. Vice-Chairman Crawford asked if there is also support for the growing Mardi Gras traditions in Shreveport. Lt. Colonel Jody Hasselback, Deputy Superintendent—Patrol, responded to the commissioner's questions indicating that some of the services provided by the department were in that area.

The Commission voted to approve Commissioner Montelongo's motion.

In Favor: All

Opposed: None

On motion duly made by Commissioner Riecke, seconded, and unanimously passed; the Commission voted to approve the requests as submitted by the Office of State Police for the reauthorization of twenty-one (21) part-time WAE positions.

In Favor: All

Opposed: None

4. Request by Commissioner Montelongo to speak on the subject of the promotional exam and in support of drafting an amendment to State Police Commission Rule 7.22 – Consolidation of Lists.

Commissioner Montelongo addressed the Commission about the promotional exam and the current Chapter 7 rule that establishes an employee's exam score on the promotional eligible list based on the employee's most recent score on the promotional exam. He is seeking support to promulgate an amendment to State Police Commission Rule 7.22 to allow for the retention of the highest score earned during the two-year promotional testing period instead of the most recent score. Commissioner Montelongo believes it would encourage aspiring supervisors to study more often and further their knowledge of the promotional exam material, including State Police Policy and Procedure, Louisiana Laws, Louisiana District Attorney's Guidelines, and LSP Leadership Materials.

Colonel Lamar Davis, State Police Superintendent, appeared on the behalf of the Office of State Police. He advised that there is a committee established to examine the entire promotional process and the committee is taking a holistic approach and looking across the nation to identify best practices. He advised that he would like to review the recommendations of the committee and then work with Commission on any possible rule changes since there may be other areas that could be impacted and it would be better to adopt all the changes at the same time rather than a piecemeal approach.

In responding to Commissioner Riecke, Colonel Davis advised that he expects an update within 60 days to see when a final report will be issued this year. Additionally, in responding to Vice-Chairman Crawford, Colonel Davis advised that they would be looking at the practices of Municipal Fire and Police Civil Service as well as other

state police organizations. Vice-Chairman Crawford stated that he would like to see the recommendations from the Office of State Police's administration in order to assist the Commission in determining the best path forward.

5. Request by Commissioner Montelongo to speak on the subject of recruitment of Cadets and retention of Troopers.

Commissioner Montelongo briefed the Commission on the total number of active Troopers which is currently 882 out of 1100 positions. He recognized that the Office of State Police has made many policy changes in recent months and years and will be continuing to do a top to bottom, and a side-to-side review to ensure that it continues to progress in the right direction.

Commissioner Montelongo discussed possible changes to supplemental pay and the rules associated with shift differential and on-call pay; additionally, he highlighted incentives from other law enforcement agencies related to post-secondary education and would like to see those types of policies considered.

Colonel Lamar Davis, State Police Superintendent, appeared on the behalf of the Office of State Police. He acknowledged the professionalism and responsibility of the phenomenal people in his agency. He agrees that some agencies have passed up LSP on the pay scale but he has a responsibility as an agency head to look at all areas of the agency and pulling from one area can impact another. Colonel Davis would like to see LSP and the Commission work jointly on pay mechanisms and the pay schedule.

Vice-Chairman Crawford advised his interest in reviewing various incentive pay options and would be interested in seeing a study conducted from an outside perspective on the numerous best practices that could be adopted for the Louisiana State Police.

6. Executive Session regarding discussion of and consideration of pending litigation¹
On motion duly made by Commissioner Montelongo, seconded, and unanimously passed; the Commission voted to go into Executive Session at 9:54 A.M.

Roll Call Vote:

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

Opposed: None

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

¹ The Commission voted to go into Executive Session to discuss the following litigation: Louisiana State Troopers Association, et al v. State Police Commission, et al; 19th Judicial District Court, East Baton Rouge Parish; Docket No.: C-672676; John Edward Childers, et al v. State of Louisiana, through Office of State Police and the Louisiana State Police Commission; U.S. District Court, Middle District of Louisiana; Civil Action No. 3:21-cv-89.

Roll Call Vote:

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

Opposed: None

7. In the matter of Russell Graham (Department of Public Safety and Corrections, Office of State Police), Docket No. 22-264-S. Appellant's Motion to Enforce Subpoena Request for Documents. Mary Ann White representing Mr. Graham. Gail Holland and Tunde M. Animashaun representing the Office of State Police.

- Oral arguments

Attorney Mary Ann White appeared on behalf of Mr. Russell Graham. Attorneys Gail Holland and Tunde M. Animashaun appeared on behalf of the Office of State Police.

- 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 go into Executive Session at 10:56 A.M.

Roll Call Vote:

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

Opposed: None

On motion duly made by Commission Riecke, seconded, and unanimously passed; the Commission voted to end Executive Session at 11:32 A.M.

Roll Call Vote:

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

Opposed: None

- Public discussion of appeal and possible vote

Vice-Chairman Crawford made a motion to grant the appellant's request to enforce the subpoena requested for the documents in part and with modification:

- Uphold the denial of item No. 1: Emails and text messages related to the incident on February 16, 2022.
- Modification of item No. 2: Emails and text messages related to the development of training and/or procedures for officer/cadet interactions during the Training Academy going back no longer than eight months and then going forward to a specific time period that would not be a hindrance on the appointing authority to produce those documents.
- Item No. 3: already handled between parties through stipulation.

The motion was seconded.

Chairman Simien offered a friendly amendment to have the email search for item No. 2 end on the date of the incident and have the parties get together

and narrow the scope of the discovery; the amendment was adopted and seconded.

The Commission voted to approve Vice-Chairman Crawford's amended motion.

In Favor: All

Opposed: None

On motion duly made by Chairman Simien, seconded, and unanimously passed; the Commission voted to order the Office of State Police to pay witness fees in accordance with the State Police Commission Rules.

In Favor: All

Opposed: None

APPEAL HEARING:

8. In the matter of Russell Graham (Department of Public Safety and Corrections, Office of State Police), Docket No. 22-264-S. Mary Ann White representing Mr. Graham. Gail Holland and Tunde M. Animashaun representing the Office of State Police.

The appeal hearing was continued until August 10, 2023, at 10:00 A.M.

Chairman Simien welcomed Mr. Bernell Nevil to the Commission. Commissioner Nevil was nominated by Louisiana Christian University and appointed by the governor to serve as the member from the 2nd Congressional District. Commissioner Nevil introduced himself and provided a brief overview of his experience.

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. Chairman Simien asked if the budget is on track. Director Hannaman advised that the agency is on track with the exception of the amount of legal services. He advised that there will need to be a contract amendment and additional funds to cover the increased use of legal service hours this fiscal year. This increase was due to the number and complexity of appeals and related matters that have arisen this year. There were no other questions regarding the report.

Promotional Exam:

The Commissioners were updated about the upcoming promotional exam to be held on May 25th in Baton Rouge, Alexandria, and Shreveport. A makeup exam will be held on May 31st in Baton Rouge.

Next Meeting:

The next regular business meeting is set for March 9, 2023, at 10:00 A.M.

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- 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.)

No requests to address the Commission were received for 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 11:44 A.M. on Thursday, February 9, 2023.

Respectfully Submitted,



Jason Hannaman, Executive Director



Eulis Simien, Jr. Chairman