

Board Meeting In Re: Law Enforcement Officer Standards & Training

Transcript of Meeting

September 19, 2024

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Transcript of Meeting 9/19/2024

MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY

BOARD MEETING OF
LAW ENFORCEMENT OFFICER STANDARDS AND TRAINING

Taken at
Mississippi Department of Public Safety Planning
152 Waterford Parkway Canton, Mississippi,
on Thursday, September 19, 2024,
beginning at 9:00 a.m.

REPORTED BY:

CHRISTA SHERMAN, CCR #1964

Transcript of Meeting 9/19/2024

1	APPEARANCES
2	BOARD MEMBERS:
3	JEFF JOHNS, DIRECTOR
4	JIM JOHNSON, CHAIRMAN
5	RANDY TUTOR
6	MICHAEL HALL
7	LINDSAY CRANFORD
8	SEAN TINDELL
9	KASSIE COLEMAN
10	LUKE WILLIAMSON, ESQ.
11	COL. CHARLES HAYNES
12	JOHN QUAKA
13	RANDALL TUCKER
14	DANIEL SANFORD
15	CAPT. BRANDON HENDRY
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1 MR. JOHNS: I'm going to call the
2 meeting to order. I am Jeff Johns, the
3 director of standards and training -- about
4 two and a half weeks in that position. So I
5 hope you'll bear with me as we go through
6 this today. And in addition, for some more
7 surprises, we have a newly appointed board as
8 well. And so, this will be very much an
9 organizational meeting as we move forward.

10 We like to start with the Pledge of
11 Allegiance. I have asked Sheriff Randall
12 Tucker of Madison County to lead us in that.
13 Followed by prayer by Chief Randy Tutor.

14 ALL: I pledge allegiance to the flag of
15 the United States of America, and to the
16 Republic for which it stands. One nation,
17 under God, indivisible, with liberty and
18 justice for all.

19 MR. TUTOR: Dear Lord, thank you for
20 every individual in this room. I thank you
21 for allowing us to be here so that we can
22 better ourselves and our profession in your
23 kingdom. I pray that as we discuss things,
24 we remain on guard, standing firm in our
25 faith in You. I ask You to help us not to

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1 become distracted from the plans we aim to
2 carry out. We ask these things in your name.
3 Amen.

4 MR. JOHNS: On that, I will call the
5 roll. Chief Michael Hall?

6 MR. HALL: Present.

7 MR. JOHNS: Chief Randy Tutor.

8 MR. TUTOR: Present.

9 MR. JOHNS: Chief John Quaka?

10 MR. QUAKA: Here.

11 MR. JOHNS: Honorable Kassie Coleman.

12 MS. COLEMAN: Here.

13 MR. JOHNS: Sheriff Jim Johnson.

14 MR. JOHNSON: Here.

15 MR. JOHNS: Captain Brandon Hendry.

16 MR. HENDRY: Here.

17 MR. JOHNS: Chief Daniel Sanford.

18 MR. SANFORD: Here.

19 MR. JOHNS: Sheriff Randall Tucker.

20 MR. TUCKER: Here.

21 MR. JOHNS: The Honorable Anthony
22 Chancellor.

23 The Honorable Robert Hancock.

24 The Honorable Lindsay Crawford.

25 Commissioner Sean Tindell.

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1 MR. TINDELL: Here.

2 MR. JOHNS: Colonel Charles Haynes.

3 COL. HAYNES: Yes, sir.

4 MR. JOHNS: Do we have any state elected
5 officials or others to recognize? I know
6 that Colonel Davis is with us somewhere in
7 the room. Anyone else that would like to be
8 recognized?

9 So as I indicated when we started, this
10 is an organization of a new board and a new
11 director -- and so we'll move through this.
12 We've got some organizational things to
13 discuss that are very important. So I'll ask
14 the board to indulge me as we work through
15 those and try to do the business of this
16 organization, which is very important.

17 To me, serving the last 17 and a half
18 years as Police Chief in the higher ed
19 system, it is readily apparent that the
20 public demands both transparency and
21 accountability in the work we do to the level
22 that it can be given. We do involve
23 ourselves in things that are covert,
24 sometimes that can't be disclosed until
25 they're finished, but I think that

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1 accountability to the people that we protect
2 is important.

3 And then with that, I think that we'll
4 see as the meeting moves on, the creation of
5 new sections in our law gives us the
6 authority to be an organization that provides
7 for more accountability. And so as we move
8 forward, we'll discuss some of those things
9 today.

10 The first thing we have to discuss is
11 the past, which is the approval of -- I'm
12 sorry, I skipped over something. I'm going
13 to back up.

14 Upon the roll call, we do need to elect
15 a board chairperson, which is part of that
16 unit. So I will ask, as the ad hoc chair for
17 the moment, for nominations for chair of the
18 board on law enforcement standards and
19 training.

20 MALE SPEAKER: Motion to nominate Jim
21 Johnson.

22 MALE SPEAKER: I second that motion.

23 MR. JOHNS: Motion and second. Any
24 discussion?

25 Any other nominations? Any other

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1 nominations? Any other nominations?

2 Hearing none, nominations are closed.

3 Chair calls for a vote. Please vote by
4 indicating "aye."

5 ALL: Aye.

6 MR. JOHNS: Any nays?

7 MR. JOHNSON: All right. Well, welcome.
8 The next order of business here is to elect
9 the vice chair. So we'll open the floor at
10 this point for nominations for vice chairman.

11 MALE SPEAKER: I nominate Michael Hall.

12 MR. JOHNSON: Michael Hall, Guntown
13 Police Chief has a nomination.

14 MS. COLEMAN: Second.

15 MR. JOHNSON: We have a second. Any
16 discussion?

17 Any other nominations? Any other
18 nominations? Any other nominations?

19 Nominations closed. Signify by
20 accepting this nomination of Chief Hall as
21 vice chair by saying, "aye."

22 ALL: Aye.

23 MR. JOHNSON: Any opposed?

24 There are none.

25 Next order of business is election of

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1 secretary. We'll open up the floor for
2 nominations.

3 MR. JOHNS: Chair, we have struck that.
4 The board attorney has indicated that I serve
5 as your secretary.

6 MR. JOHNSON: All right. By default.
7 Next, we'll have the introduction of guests
8 and opening remarks. We used to go around
9 and introduce others.

10 MR. JOHNS: I got ahead.

11 MR. JOHNSON: I'm having to get used to
12 --

13 MR. JOHNS: Well, we can do that if
14 you'd like.

15 MR. JOHNSON: Well, I mean -- no, that's
16 just how we used to do it. So we will do it
17 however you want to do it.

18 MR. JOHNS: I think we've already done
19 it.

20 MR. JOHNSON: All right. Everybody got
21 an email with the minutes that was sent out a
22 couple of weeks ago. I will entertain a
23 motion for approval.

24 MALE SPEAKER: Motion.

25 MR. JOHNSON: I've got a motion.

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1 MS. COLEMAN: Second.

2 MALE SPEAKER: Second.

3 MR. JOHNSON: Two or three seconds. All
4 in favor, signify by saying "aye."

5 ALL: Aye.

6 MS. PERKINS: We have a court reporter.
7 Do they need to state their name for you?

8 COURT REPORTER: At some point that
9 would be helpful.

10 MR. JOHNSON: Okay. When you make a
11 motion or a second or make a comment, just
12 state your name for the court reporter so she
13 will have it, please.

14 MR. HALL: Motion. Chief Hall, Guntown.

15 MR. JOHNSON: Who had the second?

16 MR. QUAKA: I'll second it. John Quaka.

17 MR. JOHNSON: All right. We've got old
18 business. Number 6 is in-service training.
19 This is a request for approval for
20 presentation by Bryce Alexander, standards
21 and training, and training staff.

22 MR. ALEXANDER: Board members. My name
23 is Bryce Alexander. I'm the academy training
24 director here at standards and training. You
25 should have gotten an email a few weeks ago

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1 about -- that had a list of, like, twelve
2 pages of curriculum that's to be approved.

3 The reason why we did that is because
4 ever since the 24 hour continuing education
5 came into effect, we here in this office have
6 been absolutely blown up with questions about
7 it. The reason why I put that together is
8 that people were asking for lists of classes
9 that could be taken, or whatever. And in the
10 past, everybody said that these classes have
11 been approved. I don't have that.

12 So I'm starting a new list so I can get
13 it out to all the departments out there. You
14 have in front of you 42 -- just the names
15 right now. This is just the start of it. A
16 lot of these have already been approved
17 because a lot of them already happened. And
18 we did that because most of it has already
19 been -- there's things that go on in the
20 academies already. So these classes have
21 already been -- they're being taught all over
22 the state. But I just wanted to give you a
23 list of what I've gotten the last month.

24 This is what everybody sent in to me to
25 be approved. And we went ahead and approved

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1 that. And I'm asking today, going forward,
2 that either myself or Director Johns be
3 allowed to go ahead and okay these classes,
4 because most of them have already been
5 approved and are being taught at the
6 academies. I'm asking that the two of us go
7 ahead and approve these without having to
8 bring them to the board meeting.

9 What I plan on doing in the future is if
10 we have, say, a third party that wants to
11 come in and teach classes, then I want to
12 come bring those to you and be approved.
13 Also, if you look at number 31, it's the
14 Mental Health First Aid Public Safety
15 Training, which Ms. Tobias is here if you
16 have any questions for that. They're wanting
17 to possibly be a part of the academies to
18 make awareness to the officers about -- and
19 you can probably say it better than I can if
20 you would like to.

21 MS. TOBIAS: So it's mental health
22 public safety, and it's the one that House
23 Bill 1222 is requiring that all law
24 enforcement take by 2031. Our goal is that
25 we can get it into the academy while we're

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1 playing catch up from the bottom. With the
2 existing agencies, we're starting at the top.

3 And one, so we don't have to backtrack.
4 Two, so we can get them what they need from
5 day one because it's really critical in
6 today's environment.

7 MR. ALEXANDER: And also Number 42,
8 which is -- it's a tactical resilience
9 training. This is strictly for the officers,
10 getting them -- putting them through
11 stressful situations and able to -- for them
12 to handle stressful situations.

13 This is by Dr. Phil Baquie. He's out of
14 Oxford, Mississippi. He is also -- at the
15 time, he's a nonprofit, and he would like to
16 come in and also try to be a part of the
17 academies to get the officers ready for
18 stressful situations before it ever happens,
19 if that makes sense. And he can probably --
20 he's not here.

21 But those are the -- that's the reason
22 why you have such a list right now in front
23 of you. Hopefully, going forward it will be
24 smaller, so you don't have to look over so
25 much. Are there any questions that I can

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1 answer, or Ms. Tobias can answer?

2 COL. HAYNES: Do they already have
3 curriculums for -- especially for 42?

4 MR. ALEXANDER: Yes, sir.

5 COL. HAYNES: Okay.

6 MR. ALEXANDER: I've got it right here
7 if you'd like to look over it, sir. And if
8 you have any questions about any on the list.

9 MALE SPEAKER: Yes, I have a question.
10 So you're asking for the ability to be able
11 to approve these without necessarily bringing
12 it to the board prior to the approval?

13 MR. ALEXANDER: Yes, sir.

14 MALE SPEAKER: Would there be a process
15 by which, once y'all approve, the board is
16 made aware of it, so if they have questions
17 we could bring it up at a board meeting?

18 MR. ALEXANDER: Absolutely.

19 MALE SPEAKER: Does a general order or
20 some sort of policy and procedure need to be
21 fully written out if we make a vote on this
22 to clarify, not just for now, but for the
23 future, this is how it's done?

24 MR. ALEXANDER: Director Johns?

25 MR. JOHNS: We're asking for a revision

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1 of the bylaws of the board, and I think we
2 would encompass that in that. So we were
3 going to just present these en masse for
4 approval -- since they've already occurred --
5 today. This is just a blanket statement as
6 we develop the regulations and bylaws going
7 forward for November.

8 MR. ALEXANDER: Are there any other
9 questions?

10 MR. HENDRY: Bryce?

11 MR. ALEXANDER: Yes, sir.

12 MR. HENDRY: Brandon Hendry, here. I'm
13 looking over some of these courses, and, you
14 know, a lot of these curriculums -- and you
15 and I have kind of talked about this already.
16 They're already approved curriculums that are
17 taught in the basic class. They're more or
18 less roll training -- roll call training.

19 MR. ALEXANDER: Yes, sir.

20 MR. HENRY: Is it necessary to seek
21 additional approval to teach it once it's
22 already an approved curriculum?

23 MR. ALEXANDER: That's why I was
24 bringing this up, because like you said, most
25 of them already go through -- they've

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1 already -- all of these are being taught at
2 the academies already, so -- and the reason
3 why this list is blown up so big is because
4 it might have got blown out of proportion.

5 Everybody was jumping to conclusions
6 about this whole 24-hour curriculum, and they
7 think that they have to have certain things
8 that they have to take, but anything that has
9 to do with law enforcement or to help or to
10 better the officer is going to -- is
11 something that needs to be --

12 MR. HENRY: So just for clarification,
13 it doesn't have to be specifically an
14 approved course to apply to their 24-hour
15 credit, or does it?

16 MR. ALEXANDER: No, sir.

17 MR. HENRY: Okay.

18 MR. ALEXANDER: If it has something to
19 do with law enforcement and the better of the
20 officer or the department, or whatever.

21 MR. HENDRY: All right. The next
22 question is what -- how do we know -- how are
23 we vetting the curriculum that we're
24 approving? Like, are we -- how do we know
25 that these are good classes? That they're

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1 standardized classes?

2 For example, you know, this -- I'm just
3 going to pick one. This defensive handgun
4 from Tippah County Sheriff's Office, how do
5 we know that that's a standardized, accepted
6 practice that we're teaching in law
7 enforcement?

8 MR. ALEXANDER: They're going to send me
9 their curriculum, and make sure that they
10 are going by what we already teach here.

11 MR. HENDRY: Okay. And I'm -- just for
12 clarity, I'm not a firearms instructor. So
13 even if I looked at it, I wouldn't know if it
14 was good or not, right?

15 And do we have a way that we can vet
16 these curriculum to make sure that they're
17 legitimate?

18 MR. ALEXANDER: Absolutely. I can go
19 visit them if I need to or call them or
20 inspect or whatever I need to do to get --

21 MR. HENDRY: I guess my point is --

22 MR. JOHNS: Captain Hendry, can I
23 interject?

24 MR. HENDRY: Sure.

25 MR. JOHNS: So I asked in discussing

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1 with him -- and I see where you're going.
2 The same place that I went is that we need a
3 reboot, which is kind of what this is.

4 These have already taken place. And so
5 we're going to, you know -- we put forward
6 that they're relative to what we do. But I
7 do think that we need a vetting process and a
8 reboot because there have been verbal
9 approvals. There have been approvals of
10 every measure imaginable -- email letters.

11 And so what I'd like to do is kind of
12 start, although the clock's ticking. So we
13 know that the 24-hour clock is ticking on
14 June 25. But I do want to develop a vetting
15 process that we create, that we review and
16 say, okay, this is -- but I do think that we
17 also have to temper that with some grace on
18 the current year since the clock's running,
19 and then we're kind of behind the clock.

20 But I do -- and I was put forward that
21 we, you know, in the regulations and bylaws
22 that we're developing, I do think that going
23 forward, that we need to assure that the
24 training going on is something that's
25 qualified and reputable and has a curriculum

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1 that meets the standards that this office
2 performs.

3 MR. HENRY: Yeah, that's my whole thing.
4 It seems like -- and training is near and
5 dear to my heart, but I want to make sure
6 that what we're teaching across the state is
7 uniform. And we're not teaching something
8 that's oddball class and -- you know,
9 somewhere across the state that's not
10 accepted practice in Mississippi. So that's
11 my -- that's my goal.

12 MR. JOHNS: I couldn't agree with you
13 more.

14 MR. WILLIAMSON: If we're talking about
15 changing the bylaws in a certain way -- just
16 putting it out there, not necessarily a yes
17 or no answer. But would it be a wise
18 decision to make an approval for a certain
19 amount of time, given the fact that laws
20 change -- that case law changes, that
21 investigative tax changes, and then you get
22 it for a certain amount of time, and then you
23 can apply for reapproval after whatever --

24 MR. JOHNS: Absolutely. That it's not
25 for all time.

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1 MR. WILLIAMSON: Right. Because things
2 change, right?

3 MR. JOHNS: Well, and things will have
4 to because we are having trouble -- we have
5 conferences and workshops, seminars,
6 contacting our office that want approval of
7 training and they say, "Oh, we've always had
8 it."

9 But there's no documentation of that.
10 So how do I know that they've always had it?

11 MR. WILLIAMSON: Which is kind of what
12 you notice here, right? It's just got to
13 say, all right, this is what has been
14 approved in the past. This will get us
15 documented that we have --

16 MR. JOHNS: Right. This does not give
17 them carte blanche, that here forward you
18 were blessed and never to come this way
19 again. This is a temporary approval of these
20 that have occurred and there's a vetting
21 process coming.

22 But we know the machine doesn't stop
23 while we do that -- that we have to continue
24 to operate and allow training to go on
25 until -- while -- like living in the house

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1 while you're renovating it.

2 MR. JOHNSON: Let me clear something up
3 as well. I think there was something
4 mentioned about continuing education that's
5 allowed to be accepted for credit of their
6 hours -- does it have to be on this list and
7 approved?

8 And I think there was some mention of if
9 it benefits law enforcement or helps law
10 enforcement, then it is. Now, Counsel can
11 advise us legally if that -- if it can be
12 approved if the board had not approved it to
13 be counted as continuing education.

14 MR. WILLIAMSON: I think what we're
15 talking about as far as the new practice
16 going forward -- I think it needs to be
17 stated clearly and affirmatively that it
18 doesn't count unless it's been approved by
19 whatever new process we step forward.
20 Because otherwise there's no regulation.
21 This board and training staff don't have any
22 idea what kind of curriculum, what kind of
23 courses people are getting this credit for.

24 MR. JOHNSON: Well, we certainly don't
25 want to go to a training thinking to get

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1 credit, and it's not.

2 MR. WILLIAMSON: So what do we -- what
3 are we proposing when we vote and approve
4 this? Is it going to be a tentative approval
5 for a year until we get it squared away, or
6 what do we think?

7 MR. ALEXANDER: That sounds good to me.

8 MR. JOHNSON: Are you asking this for
9 June of '25?

10 MR. WILLIAMSON: Yes. Correct.

11 MR. JOHNS: I think that that would be
12 practical. And that gives us enough time to
13 boot up the new regulations. And, you know,
14 what our vetting process is and allows for
15 that.

16 I anticipate in our other meetings this
17 year there will be more to come, but we will
18 make sure that we're vetting those. Like I
19 said, I think we have to show some grace as
20 people are certainly -- all folks that are
21 not used to the applying of 24-hours.

22 And to me that statute is long overdue.
23 We've always had a standing policy in my
24 agencies of meeting it, but we weren't
25 mandated to do that. I think everybody that

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1 comes out of the academy -- just like when I
2 graduated from real estate school, I have a
3 continuing education requirement. I think
4 everybody coming out of the academy to stay
5 active needs a continuing education mandate.
6 And this is certainly for review.

7 MR. TINDELL: So I would -- can we, I
8 guess, make a motion to approve the list
9 for -- until June of 2025.

10 MR. JOHNSON: We need a motion for these
11 42 to be approved. That's what, I think,
12 Mr. Alexander is asking for.

13 MR. ALEXANDER: Yes, sir.

14 MR. JOHNSON: He's made a recommendation
15 to approve these 42 trainings.

16 MR. SANDERS: And I'll second that.
17 Daniel Sanders.

18 MR. JOHNSON: Did you make a motion?

19 MR. TINDELL: Yes, sir.

20 MR. SANFORD: Second.

21 MR. JOHNSON: Second here. Any other
22 discussion? All in favor by aye.

23 ALL: Aye.

24 MR. JOHNSON: Any opposed?

25 Now, there was a question brought up by

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1 Mr. Alexander giving them the authority to go
2 ahead and then bring it to board later. Is
3 that something we want to table or discuss?
4 Or that's a whole different apple.

5 MS. COLEMAN: I think -- Kassie Coleman.
6 I think at this point, until we have a change
7 in the bylaws -- you know, that we know how
8 that's going to be addressed, we should wait
9 for that. I don't have a problem, like, if
10 you've got something that's new, that's not
11 on the list or not already been approved, we
12 can distribute that by email if you need
13 something sooner than -- you know, prior to
14 the next meeting. Because I recognize people
15 are trying to get answers. Probably, the
16 training's next week, can you approve this?

17 But I think that I agree with some of
18 the other voices that we want a little
19 caution there. Because in desperation they
20 may be thrown together, or you also have
21 people that just come out and sort of present
22 themselves as experts in one area or another.

23 And I think if they're offering it at a
24 reduced rate or something, they may be
25 quicker to jump on that band wagon.

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1 MR. JOHNSON: Are you good with that?

2 MR. ALEXANDER: Yes, sir.

3 MR. JOHNSON: All right. Thank for you
4 for your time.

5 MR. ALEXANDER: Thank you.

6 MR. JOHNSON: All right. We'll move to
7 Item 7, New Business, the certification of
8 officers. You have that in your packet.

9 MR. JOHNS: Mr. Chairman, the Office of
10 Standards and Training submits the list for a
11 vote. We have -- in motion we have five
12 full-time academies and seven part-time
13 academies. You are welcome to review these.
14 And I would advise the Chair for
15 recommendation for mass approval.

16 MR. JOHNSON: We've got a recommendation
17 for five full-time, seven part-time with a
18 list that's before you. And we will
19 entertain a motion to accept it in a mass
20 way.

21 MR. WILLIAMSON: I'll motion.

22 MS. COLEMAN: Kassie Coleman, second.

23 MR. JOHNSON: We have a motion, we have
24 a second. Any other discussion?

25 All in favor say aye.

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1 ALL: Aye.

2 MR. JOHNSON: Any opposed?

3 All right. That passes.

4 All right. Item 8 is the presentation
5 by the Director of Standards and Training on
6 several items here. So you've got the floor.

7 MR. ALEXANDER: Thank you, sir. So the
8 first thing on my list to talk about today is
9 the restructuring of the board. Mississippi
10 House Bill 691's overview.

11 The board has House Bill 691 that's sent
12 to the governor in their packet that was sent
13 out earlier. So hopefully you've had time to
14 at least peruse through it.

15 We've spent a good bit of time in it
16 trying to figure out our pathways and to make
17 recommendations pertaining to how this
18 impacts the law as it stands and as it has
19 changed.

20 And within that, obviously, the new
21 board is seated today. And the next item in
22 that is what we kind of already discussed --
23 is the ongoing training of law enforcement
24 that's due by June 30 this year, mandating
25 all law enforcement -- state, county, and

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1 local -- to have 24-hours of continuing
2 education.

3 We are flooded. There's a lot of
4 curiosity. There's a lot of not
5 understanding. And I think that a lot of
6 them are probably doing just as we did,
7 although not mandated, that they're
8 conducting training. But they're wanting to
9 make sure what they're doing is acceptable.

10 And then I know that in the past we've
11 allowed their statutory firearms training, as
12 well as virtual training, that they do
13 through virtual academy and other means
14 available -- there is at least half of that
15 that may be presented virtually that they can
16 take.

17 And so I put that forward as we work on
18 that. And I think we've kind of discussed
19 the direction with Captain Hendry's comments
20 followed up by the District Attorney. And
21 that we're working on that.

22 We hope by November -- or we plan by
23 November to have those items put together for
24 you to look at and discuss. We'll get those
25 sent out to you as soon as we can in draft

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1 form so the board can consider those, because
2 I do think it's important that we step up our
3 game on our side to meet this new requirement
4 and challenge that were asking agencies to
5 comply with. Because we are, as the Chiefs
6 heard me say at their board meeting, we're
7 all in this together.

8 That also brings me to another thing in
9 691, which is the addition of two
10 investigative positions. Those positions
11 were posted on August 15, 2024. They closed
12 on August 29. Interviews were conducted with
13 an anticipated start date of October 1 for
14 the investigator for the South.

15 We are looking currently. We did not
16 receive the applications that we would have
17 liked to the number -- to kind of make sure
18 we were choosing the best, experienced
19 investigative folks for this. So we
20 anticipate reopening the position in the
21 North.

22 Those positions will also go out, and
23 I've got probably a couple of copy paper
24 boxes of investigations that are ready to go
25 for them -- you know, pursuant to this new

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1 law, the office under the statute has had
2 subpoena powers. But there are times that we
3 get from an agency a termination of an
4 officer for cause, and there's not a lot of
5 information behind it. We can send out a
6 letter. We can ask for it. And oftentimes,
7 which has been a surprise to me in my two and
8 a half weeks here, that it's not answered.
9 And that we send out another letter, and it's
10 not answered.

11 That has been quite concerning to me
12 that we can't get the cooperation. Because
13 it will take every Chief and Sheriff to help
14 us do our job to make sure that we are
15 presenting a quality program on the
16 regulatory certification side for the state.

17 So these investigators will give us
18 field personnel that can go out and say,
19 "Hey, can I get five minutes of your time to
20 talk about why you cut this guy loose?"

21 It prevents me, in my time as Chief,
22 from discharging somebody and him slinking
23 over to Randy and applying for a job. And
24 Randy doesn't know what he did at Delta
25 State. And to me, that's the kind of thing

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1 that we've got to hem up.

2 The other side of that is the electronic
3 records, that we're working on very quickly,
4 are very important to that, because the snail
5 mail, if you will, is slowing down our
6 responsiveness to your questions about
7 candidates.

8 I would like to see the day come that we
9 are able to allow you to log into our portal
10 and immediately know if that guy is
11 certificate eligible, or if his certificate
12 is suspended, or if it's been removed. That
13 you would know that on the fly without having
14 to pick up the phone and try to track a staff
15 member down, because they're overburdened.

16 So we're looking for -- so what I put
17 forward today is the discussion on the
18 procedures and protocols for these
19 investigators among you. And then, also, if
20 these investigators -- and I hate to say
21 this, but I'm almost 99.9% positive that this
22 is going to happen. When these investigators
23 uncover criminal activity in the course of
24 their investigations, what is the Board's
25 pleasure on what they do with that? Do we

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1 hand that to the Public Integrity Division of
2 the Attorney General? Do we refer it to the
3 District Attorney's office? Do we work in
4 cooperation with investigators from another
5 agency?

6 What is the board's direction and
7 pleasure with these investigators that are
8 coming forward? So I put that out,
9 Mr. Chairman, for discussion and follows my
10 report.

11 MR. JOHNSON: We have a person on the
12 board from the AG's office that may take on
13 that task of answering that.

14 MS. CRANFORD: So, I mean, I have a lot
15 of thoughts about this because I feel like
16 we've been wrestling with this bear for a
17 while now.

18 And in different jurisdictions, it's
19 handled differently, and I think therein lies
20 the problem. There are some District
21 Attorney's offices that just want to tackle
22 it themselves and feel like it's their
23 purview to say.

24 There are other DA's offices that would
25 rather not take on cases like that and will

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1 refer them back, and then we'll work on it
2 unless it's a conflict case.

3 I do think it is well within the purview
4 of the Public Integrity Division to handle
5 it. I think we're more than capable of
6 handling those type of cases. I think it's
7 actually what people expect that we do, and
8 so we're open to that.

9 And I think if they -- the shift is that
10 we want to make that the obligation of the
11 AG's office, I think it would be a minimal
12 path. I think the only hurdle is whether or
13 not you have local law enforcement or a
14 District Attorney that feel differently.

15 MS. COLEMAN: And I think certainly, as
16 she said, there are some district attorneys
17 that do feel differently. Lindsey knows how
18 I feel about this. I think we have to rise
19 above to make sure that there's not that
20 appearance. And I think it depends on what
21 level this investigation is coming. Like, if
22 you just uncover it, and then you refer
23 that -- if you send that to the DA's office,
24 they may have one, two investigators. But
25 they don't really have the resources to go

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1 complete that investigation, finish whatever
2 follow-up is necessary, and then may very
3 well run into the same types of resistance
4 from chiefs or from sheriffs as you go
5 through that. So I think probably my
6 personal opinion, not speaking on behalf of
7 all the district attorneys, is that it's best
8 if you feel like you've got the manpower to
9 be able to follow up with that.

10 Because I think there's a difference in
11 being handed a case by MBI that says, here's
12 your completed file, take it to the Grand
13 Jury, versus we've uncovered this allegation.
14 And so I think part of that will be how far
15 these investigators are going to take it.

16 Because even the ones that would choose
17 to maybe want to handle it themselves would
18 need it to be a product that they could take
19 from that point forward to process.

20 MS. CRANFORD: And something else I'll
21 say, too, is that it's worked extraordinarily
22 well, in my opinion, to have partnership with
23 MBI. And, I mean, if that's something -- MBI
24 has done a magnificent job of working officer
25 involved shootings and handling that in a

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1 professional way. I feel like they've
2 developed a rapport with a lot of agencies
3 across the state. They're going to handle
4 that in a way that is acceptable to the law
5 enforcement and the public.

6 And so I could also perceive, you know,
7 an expansion of that role where maybe MBI is
8 looking at officer conduct as a whole, and
9 then as their option for prosecution review.
10 Then it kicks over to the public integrity
11 division.

12 I mean, I think there's a lot of ways
13 that it can be worked. It just depends on, I
14 think, how everybody wants to see it turn out
15 in the future. And how many different
16 agencies need to be involved.

17 MR. JOHNSON: Are the investigators that
18 are being hired not under the umbrella of the
19 AG's office? Or where are they getting their
20 authority?

21 MR. JOHNS: From the statute. And they
22 will be sworn in under DPS so that they'll be
23 criminal investigators, is my understanding.

24 MR. TINDELL: Can I ask this in regards
25 to the investigators? And I know it gets a

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1 little tricky when we're talking about
2 professional certifications, particularly IA.
3 And then what can be used if you give a
4 statement, obviously, what impact you could
5 have on a criminal investigation.

6 So I would assume that to some degree,
7 those investigations would need to be
8 separated from a criminal standpoint,
9 compared to a certification standpoint.
10 Because I don't know that if the officer gave
11 a statement to one of our investigators from
12 a professional certification standpoint, how
13 much of that can be used in a criminal
14 investigation. Much like an IA statement.

15 That's just something -- something I
16 think we need to think about -- consider. I
17 know recently in Columbia, there were some
18 issues and the DAs asked MBI to handle that.

19 So I think the board is open for y'all
20 to make some decisions about how to handle
21 this.

22 MR. JOHNS: Well, I have not had a
23 chance to do this yet, but my thought was how
24 do investigators from other licensure boards
25 within the state -- if they have covered

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1 criminal activity, whether it's the nursing
2 board, whether it's board of realtors.
3 Although, what do those investigators -- what
4 do they do with those -- if they uncover a
5 criminal act?

6 MS. CRANFORD: I think you have, again,
7 a piecemeal. I think you have some that
8 automatically turn to us, and I think you
9 have others that -- well, a realtor -- I
10 can't think of one of those happening, but
11 that, for example, they may turn that into
12 the District Attorney or the local agency.

13 MR. TINDELL: And I was thinking of the
14 pharmacy, because I think they've got an MBN
15 agent assigned to the pharmacy board that
16 assists with them. And I think it's uniquely
17 different here because all of the people that
18 are certified are some sort of state act or
19 state employees, versus private companies on
20 some of that.

21 MS. COLEMAN: I think our concern
22 previously has been that nothing was
23 happening. You know, like we would have
24 somebody that would be brought before us
25 because they wanted to be reinstated because

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1 they had been released for using the Fuelman®
2 card. So it's an embezzlement charge, but
3 really, other than the fact that they were
4 terminated, and then they were coming back
5 before us saying, "I want my certificate,"
6 or, "I want to keep it," or, "I want it
7 back."

8 And it did not appear that it had been
9 reported to anyone. And so as we, you
10 know -- I know personally, we had an officer
11 from my district that was here wanting his
12 certificate back, and he had clearly
13 embezzled by using his Fuelman® card.

14 And I had never heard anything about it,
15 and the AG's office had never heard anything
16 about it.

17 MR. WILLIAMSON: And along those same
18 lines too, is the argument going to the state
19 or going to the local DA's office?

20 Just in my few years of doing this, I've
21 seen a lot of things come here that we don't
22 have any court documentation at the DA's
23 office level, at the county level, to how was
24 this case adjudicated?

25 And then it just goes dark, and there's

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1 no resolution to the case, or there's no
2 charge, or there's no finality to anything.

3 So, just from my perspective, I would
4 feel more comfortable if it was handled at
5 the -- being a state board, a state
6 everything, handle it at the state level.
7 And don't leave it up to the county to do.
8 It just seems -- it seems cleaner, it seems
9 more transparent that way.

10 MR. JOHNSON: You've got one opinion
11 versus -- and I can tell you from sitting on
12 this board since '05 and doing these
13 hearings, there's a lot of certification
14 hearings come, you know good and well it's a
15 criminal act. There was no question it was a
16 criminal act. Why they're standing up there
17 is beyond me. But the DA of that district
18 already worked to deal with them. And so you
19 couldn't back up and punt.

20 COL. HAYNES: That's because we're not
21 seeing the charges.

22 MR. JOHNSON: That's right.

23 COL. HAYNES: They're content with
24 determination and letting it go. They're not
25 following the charges, and we've seen that

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1 over the previous couple of meetings we've
2 had.

3 In my opinion, I think we have done a
4 good job from the Bureau standpoint of the
5 incidents. We did a complete overhaul and
6 worked in conjunction with AG's office. I
7 think we maintain the consistency and the
8 uniformity if we adopt that platform.

9 And that way it takes it out of the DAs.
10 Because we get contacted and they say, look,
11 I work with these people every day, and I
12 don't want the optics of if this goes bad.

13 Let us from the stateside take that
14 burden off of you all, and let us work for
15 you when it comes to this. But that's just
16 my opinion on it. I think that's a very
17 impartial way to get it done.

18 MR. JOHNSON: Is that an opinion or a
19 motion?

20 COL. HAYNES: In all things, that's a
21 motion.

22 MR. JOHNSON: I have a motion to let the
23 AG's office be the prosecutor. Do I have a
24 second?

25 MS. COLEMAN: Kassie Coleman. Second.

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1 MR. JOHNSON: Any other discussion?

2 All in favor say, "aye."

3 ALL: Aye.

4 MR. JOHNSON: Any opposed? All right.

5 MR. WILLIAMSON: Just for informational
6 purposes -- just to piggyback off of what the
7 colonel said -- Luke Williamson, board
8 attorney.

9 The way that MBI is conducting critical
10 incident investigations -- they are routinely
11 using what is styled at the top as a criminal
12 investigation warning. Every time they speak
13 to an officer about that incident is
14 essentially an anti-Garrity warning and makes
15 it very clear that this is not an IA
16 investigation, you do not have Garrity
17 rights, et cetera, et cetera.

18 I think that because of the ability to,
19 as Chief Sanford said, keep it at the state
20 level and have the consistency and the
21 professionalism that the colonel talked
22 about, if we get to a point, as the director
23 has said, that I'm investigating this
24 officer, and now I found something illegal --
25 I think that the investigators just need to

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1 have a policy or a mindset that this is the
2 time to pull out the criminal investigation
3 warning and read that to the officer and make
4 it clear that the rules have changed at that
5 point.

6 MR. JOHNS: So, Jeff, will this be
7 something you'll create -- you'll create
8 guidance, you'll create policies and
9 procedures for, and then come back to us?

10 MR. WILLIAMSON: Absolutely.

11 MR. JOHNS: All right. Cool.

12 COL. HAYNES: We will mirror our
13 critical incident protocols, as stringent as
14 they are. And we'll present -- and we'll
15 provide that to you all and before the board.

16 You all decide what you want to take
17 away or add. Because we don't want to,
18 certainly, reinvent the wheel on it if it's
19 already there.

20 MR. WILLIAMSON: Yeah. Understood.
21 Very good.

22 MS. CRANFORD: And are we saying if we
23 see as a board that there's been a criminal
24 incident -- are we saying it's going to be
25 referred to the AG's office for investigation

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1 and prosecution? Or are we talking about
2 continuing the hybrid with MBI?

3 COL. HAYNES: We'll do that side of it
4 just to make sure we're keeping -- right,
5 just to keep it, you know, clean.

6 MS. CRANFORD: I feel like it's
7 acceptable to the body of law enforcement.
8 They're being investigated by a team that
9 they are already -- they are already
10 understanding the professional way they are
11 handling that.

12 We've already gone through these issues
13 with Garrity. Luke's done trainings on all
14 that with all the officers. So it's
15 something that we've become well versed in.
16 And I don't think it changes the scope of the
17 workload very much for either side.

18 But I do think it's exciting, to me,
19 because it's something that I think has been
20 a long time coming. And I think it needs to
21 happen.

22 MR. JOHNSON: We basically would just be
23 doing it just like the shootings.

24 MS. CRANFORD: That's right.

25 MR. JOHNSON: We've had a motion and a

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1 vote, and that's been adopted.

2 MR. JOHNS: So, moving in an entirely
3 different direction of information. So,
4 House Bill 1434, that's included in your
5 packet, passed in 2020 regular session. It
6 provided an increase with sheriff's offices
7 and municipalities on part-time officers, was
8 to raise the dollar cap that had been the
9 same for decades. Maybe not quite that long.

10 But within that, it does not limit nor
11 provide a relative number of how often those
12 folks can work. So you've got those two
13 levels of money caps on part-time certified,
14 which means they've met at least 50 percent
15 of the full-time certificate number of
16 trainings. A lot of times they've gone over
17 that.

18 But I anticipate legislation in the
19 spring to address that disparity. Because
20 you do have cases where you have officers
21 that are working for no pay, so they never
22 hit the salary cap. But they're working in
23 two different places or three different
24 places, or sometimes they're working as much
25 as a full-time person and only receiving --

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1 you know, the pay cap is there.

2 So there's a lot of cloudiness with that
3 that's been brought to our attention. It is
4 put forward that we expect legislation not
5 drafted by our office, but legislation -- we
6 anticipate that it's coming to provide some
7 clarification of that.

8 I just wanted to bring that to the
9 board's attention for any thoughts or ideas
10 that you have, or any experiences that you've
11 had with where that has been a help or a
12 hindrance. And your thoughts on what 1434's
13 impact has been since 2020.

14 MR. JOHNSON: Any comments?

15 MALE SPEAKER: Is that going to go more
16 toward an hourly?

17 MR. JOHNS: I'm not sure. Like I said,
18 I have seen nothing on it other than just
19 been told we anticipate legislation coming
20 out because there's just such a wide matrix
21 at that time in that direction.

22 I know absolutely nothing other than
23 we're hearing questions about our
24 departments.

25 MR. WILLIAMSON: So where do you

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1 anticipate the legislation, or proposed
2 legislation, go -- employee or are they
3 solving the disparity in the pay or making
4 requirements?

5 MR. JOHNS: Until I see a draft, I have
6 no idea.

7 MR. WILLIAMSON: Okay. We're not really
8 sure.

9 MR. JOHNS: All we've done is kind of
10 heard that there's something coming.

11 MR. WILLIAMSON: Okay.

12 COL. HAYNES: So, also the -- from
13 looking at it, Representative Bounds may
14 potentially -- some of the people that are
15 listed as authors and co-authors may be the
16 ones that may bring that to the floor.

17 So we'd have to pay attention this fall
18 as they start having committee hearings
19 before legislative session starts. That may
20 give us an idea of what that landscape may
21 look like.

22 MS. COLEMAN: Commissioner Tindell asked
23 me to let y'all know -- he didn't want to
24 interrupt the conversation. He had to step
25 out to a state personnel board hearing, but

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1 he intends to come back.

2 MR. JOHNS: Well, that brings me to
3 another topic that's probably as sensitive as
4 the one about the investigators and probably
5 going to require a little bit more -- I don't
6 know how we'd get more passionate about it,
7 but certainly a lot of interest.

8 So within House Bill 691, the changes
9 impacted on our statute provide for a
10 subpanel hearing committee. And so what I
11 put before Mr. Chairman is a discussion on
12 structure, guidelines, meeting frequency, and
13 format for the needed direction and
14 framework. And that we would like to leave
15 here today with some guidelines on what that
16 panel needs to look like.

17 And part of the reason it's so timely is
18 we have any number of requests for hearings,
19 and currently there's no appeal bond.

20 There's no -- you know, people -- any -- we
21 get them in all shapes, forms, and fashions
22 of just, I want a hearing. You know, you've
23 been suspended. I want a hearing.

24 And so it's certainly a backlog there
25 that needs to be addressed. And this, to me,

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1 is probably one of the most critical portions
2 of the revision to our statute.

3 MR. JOHNSON: There was a presentation
4 by Donald?

5 MR. JOHNS: That was -- I took that on.

6 MR. JOHNSON: All right. We have four
7 to discuss. The subpanel hearing -- if you
8 are not on the board -- the way it was always
9 done was this board was the hearing panel.
10 And you incorporated that with all of this
11 that we're doing today.

12 And you had hearings. And you may get
13 lunch, and you may not get lunch. Well, we
14 didn't get lunch.

15 MS. COLEMAN: You may be done by lunch.

16 MR. JOHNSON: We may not be done by
17 lunch or it may be supper. That's the way it
18 had been done was this board did it. So I
19 think they're now discussing does it need to
20 be opted out to another group that's
21 appointed by this board, or how -- it's just
22 open for discussion.

23 MR. QUAKA: I'd like to make a comment.
24 I think it's important that whatever this
25 subcommittee looks like, it comprised of

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1 members of this board. Because I believe
2 it's important that information that comes
3 out during these hearings may affect policy.
4 And I believe it has since I've been here in
5 the past two years. So I think it's
6 important that we continue to utilize this
7 board as a hearing panel.

8 MR. JOHNS: Okay. Well, and if I -- and
9 I'd ask the board attorney to correct me on
10 that, the only thought that we had about
11 perhaps the hearing panel being chaired by a
12 board member and then select two
13 up-and-coming command staff persons to hear
14 that, is that this board still arbitrates the
15 final decision.

16 Because if I'm reading correctly,
17 Mr. Board Attorney, the hearing panel then
18 makes a recommendation to this board. They
19 do not render a decision. And correct me if
20 I'm wrong. That's how I read it.

21 MR. WILLIAMSON: No, that's right. The
22 statute specifically says that the board can
23 establish a hearing panel for the purpose of
24 providing a hearing.

25 The hearing panel shall provide its

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1 written findings and recommendations to the
2 board. This board, under the bylaws, which
3 you've all been provided a copy of -- this
4 board has always had the ability, under
5 Article 6 of the bylaws, for the chairs to
6 appoint a committee.

7 I agree with Chief Quaka that I think
8 this hearing panel needs to be board members.
9 I would note that the bylaws also say that a
10 quorum for a meeting like this is four
11 members. So four or five also sounds like a
12 nice number of people for the hearing panel.
13 That could be board members, because then,
14 number one, you've got the majority, or
15 almost the majority of the people here for
16 the vote. And number two, you actually would
17 need a board for a board meeting.

18 So I think using that general guidance,
19 if there are people who are interested or not
20 interested among you -- the chair is an ex
21 officio member of the board, so the chair
22 doesn't actually have to be on it because
23 you're on it, whether or not you're named to
24 it. But --

25 MALE SPEAKER: Whether you want it or

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1 not.

2 MR. WILLIAMSON: Right.

3 MR. JOHNSON: How do you resign?

4 MR. WILLIAMSON: Yeah. Different kind
5 of thing, so -- but I think it would be a way
6 to radically change these meetings for the
7 better.

8 So that the writing -- the written
9 recommendations and findings could be sent
10 out in advance of the meeting, just like this
11 agenda was, and then everybody knows what
12 we're -- what that was based on. And can
13 come in and vote and move on to the next
14 agenda item.

15 MALE SPEAKER: Yeah, I mean, once I'm
16 here, I'm here. You know, it doesn't matter.

17 MR. JOHNSON: Are we looking at -- are
18 we looking at doing hearings a separate day
19 than the board meetings? So whoever
20 volunteers gets on -- is that another day
21 you're having to come?

22 MR. JOHNS: Well, Mr. Chair, I've got
23 another question for our attorney. Do you
24 read the statute that we are limited to one
25 or could there be a two?

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1 And I'm just thinking of the number that
2 we're having to deal with unless we're
3 providing some -- I mean, are we just saying
4 everybody's entitled to a hearing if they
5 want one?

6 Or are there filtering mechanisms that
7 say if you've had a hearing, you're not
8 entitled to another one for x period -- for
9 two years under current bylaws? And so
10 things of that nature that we'd love to have
11 input on.

12 MR. WILLIAMSON: Well, let's look at the
13 model that already exists. The statute does
14 say, "a hearing." So, I'm reading that to
15 mean singular.

16 But if you look at the way that our
17 appellate court system works, you have
18 rotations for their panels, or members of the
19 full court, but not always the same people
20 every time.

21 MR. JOHNS: And that's what I was
22 thinking.

23 MR. WILLIAMSON: I think that might be a
24 nice model. If everybody is willing to serve
25 at least some, then that would, one, lessen

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1 the burden of the people who are on the
2 hearing panel.

3 Two, it would give all of the board
4 members some exposure to how the hearings
5 look. Because there are many of you that
6 have been here for quite some time, but there
7 are several of you that are also brand new to
8 this.

9 So I think that would be a way to have
10 one hearing panel and be valid under the
11 statute, but to have a rotation of members.

12 MS. CRANFORD: Well, I want to make sure
13 I understand. I'm understanding that you're
14 saying as long as four board members are
15 present, then we can have the hearing. And
16 then at that point, if we wanted to do it
17 separately, we would just come back and bring
18 those findings before the board, sort of with
19 the suggestion that whether that be those
20 written findings, the transcripts, the
21 hearings -- whatever can be brought forward
22 prior to.

23 So that we would then determine, I
24 guess, if somebody had a question about it or
25 wanted to hear more, you could sort of open

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1 that up for a larger --

2 MR. WILLIAMSON: So four is not in the
3 statute, I'm just using --

4 MS. COLEMAN: I mean from the bylaws.

5 MR. WILLIAMSON: From the bylaw that's a
6 quorum for this meeting, so I think that
7 would be a good, kind of, baseline.

8 Number one, that's not putting too much
9 weight on anybody's individual shoulders.
10 But I think at that point, once you had a
11 hearing, you're required -- that hearing
12 panel would be required to write something up
13 that says these were the findings that were
14 made, and this is the recommendation of the
15 hearing panel made to the board. For the
16 board to either then question or review and
17 approve.

18 As board attorney, I'd be more than
19 willing to do that writing or at least be
20 involved in that writing.

21 So, otherwise, I think, yes -- the
22 board's job after the hearing occurred would
23 be to look at the writing that is prepared,
24 and then either ask additional questions that
25 weren't asked or just approve or deny the

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1 hearing panel's recommendation.

2 MS. CRANFORD: I have two questions. Do
3 we know what the numbers are coming to
4 hearing? We're backlogged at -- right now,
5 what we're looking at needing to have?

6 MS. COLEMAN: Oh, lord. It was stacked
7 probably this high. (Indicating.)

8 MALE SPEAKER: Wow.

9 MS. COLEMAN: It's unbelievable. 50,
10 75.

11 MALE SPEAKER: So, did I understand what
12 you're saying to be -- let's say we have this
13 board as the hearing panel, but we may,
14 like -- if we just drew a line between you
15 two and, like, this group, may see -- may
16 hear this week. And then the following week,
17 that group may hear some. So we can rotate
18 through these things as a subcommittee of a
19 subpanel, basically. And then present. Is
20 that what -- is that how I'm reading it?

21 MS. COLEMAN: I think that's reasonable.

22 MR. WILLIAMSON: I think that makes
23 sense. Now, what it actually is is up to
24 y'all. I mean, that's -- what it becomes, I
25 think, eventually needs to make its way into

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1 written policy or bylaws, either way.

2 MR. JOHNS: Yeah, but we need to do that
3 if that's what we're going to do, period.

4 MR. WILLIAMSON: Yes. No matter what we
5 do. That's the way that needs to be done.
6 And that's what it needs to be based on.

7 But I think it's completely up to y'all
8 what it looks like, how frequently it meets,
9 and all that. But I do think, even given
10 that number -- I think that even if you have
11 one hearing day a month, you can probably
12 churn through that reasonably quickly. In a
13 year you can get that done.

14 MR. JOHNSON: All right. There's talk
15 about having the board that does the hearings
16 made up of this board. Let's, first of all,
17 address that issue.

18 Is there anybody in objection? Because
19 you're subjecting yourself to being on that
20 thing. If you've never done it, here you go.
21 If you have done it, you know what you're
22 getting into.

23 MS. CRANFORD: Certainly, probably the
24 newer members might want to have panel
25 members that are from the old board.

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1 MR. JOHNSON: Mix it?

2 MS. COLEMAN: To mix it on there just so
3 that you would know what to go by.

4 MR. JOHNSON: Is everybody satisfied
5 with serving on that committee and split it
6 into two different responsibilities? Because
7 that's the only way we can split it. We
8 can't have three.

9 MALE SPEAKER: I think everybody needs
10 to go to that.

11 MR. JOHNSON: Do we have a motion -- I
12 guess we need to do that as a motion or do
13 you just want to do it as -- do we need to
14 vote on it?

15 MS. CRANFORD: Are we voting to amend
16 the bylaws? To establish --

17 MR. WILLIAMSON: If we're going to -- if
18 we're going to do that, we need to probably
19 put it in writing so that everybody knows
20 exactly what the new bylaw is going to say.
21 And ask questions, or amend it if necessary.
22 And then approve it as written, or approve it
23 as amended. I think that's the best policy.

24 So I think we got a sense of what we're
25 wanting to do now. So we can have a motion

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1 to recommend that that be written as a new
2 bylaw or amendment to the bylaws. Does that
3 make sense?

4 MS. COLEMAN: Yeah. I would make the
5 motion that y'all -- Luke, with your
6 guidance, and obviously from input from the
7 staff, that you prepare that proposed
8 amendment. And that it be distributed prior
9 to the next board meeting so that we could
10 vote on it once it was in writing and
11 everybody has a chance to review it.

12 MR. JOHNS: Which would allow us to
13 include that in the modernization of the
14 bylaws to allow for electronic voting and for
15 video conferencing and other things.

16 MR. JOHNSON: Modernization. I like
17 that word.

18 MR. WILLIAMSON: So can I ask a question
19 then? So I'm just looking at the agenda, the
20 structure, I think we've addressed. The
21 format for recommendations is addressed in
22 that statute. It would have to be in
23 writing.

24 Meeting frequency, I would recommend
25 that we put that in writing in the bylaws as

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1 well. Do we want to make that a minimum of
2 once a month or is that too much?

3 MR. HENRY: I would think it would
4 need -- I would ask --

5 MR. WILLIAMSON: Yes, I think we could
6 do as needed.

7 MS. COLEMAN: I think as needed.
8 Because if we're trying to funnel through the
9 75 to 100, we may do it more to knock them --
10 because we all know some of them, the bylaws
11 just don't allow.

12 You know, they're appealing something
13 that we don't have control over. As you
14 said, some things -- we've actually amended
15 our bylaws to address that.

16 But some of the things just, we -- I
17 hear you. You're allowed a hearing, but we
18 can't change what it is. And so I think, you
19 know, we might move through some of those
20 pretty quickly.

21 MR. JOHNSON: Some are quick, and some
22 are not.

23 MS. COLEMAN: But some of the ones that
24 we had no authority to do anything about were
25 longer than the ones we could. And my hope

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1 is, with these investigators, a lot of the
2 things that we have had questions about we'll
3 actually have answers to.

4 You know, he's accused of using the
5 Fuelman® card, but we don't have a Fuelman®
6 record. Can we get that?

7 MR. JOHNSON: We've addressed the
8 meeting as needed.

9 MR. WILLIAMSON: As needed. And the
10 panel is -- let's give it a number instead of
11 half the board. Eleven doesn't half very
12 well. So, do we want five or six?

13 MALE SPEAKER: Five.

14 MALE SPEAKER: Make it an odd number.

15 (Indiscernible crosstalk.)

16 MS. CRANFORD: That way, if you had one
17 person would couldn't make it for some
18 reason. You'd still have your four.

19 MR. WILLIAMSON: So five members?

20 MALE SPEAKER: Yes.

21 MR. WILLIAMSON: Five members. Okay.

22 (Indiscernible crosstalk.)

23 MS. CRANFORD: You know, Captain kind of
24 alluded to this, there have been some of
25 these that have been extraordinarily long

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1 hearings.

2 Not necessarily because, I feel like,
3 the board needed to hear more, but because we
4 didn't want to cut off, you know, the person
5 who was petitioning us too early and make it
6 feel like they didn't have their say.

7 But at times, it did feel like it went
8 on and on unnecessarily. And so, in my mind,
9 I just wonder if there's something that needs
10 to be said about -- through the bylaws that,
11 you know -- an allotted period of time, you
12 know, to prepare for that.

13 Or that the board has the discretion to
14 conclude the hearing if it feels like it's
15 hearing cumulative information. I don't
16 know. I just feel like, there needs to be --

17 MR. JOHNS: Like a debate limit.

18 MS. CRANFORD: Yeah, because it does get
19 to a point sometimes where you're, like,
20 there's just nothing -- that we're not
21 getting -- we're not productive anymore.

22 MR. WILLIAMSON: Do we just begin to use
23 the model that already exists? The court's
24 in charge of the courtroom --

25 MS. CRANFORD: Yeah.

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1 MR. WILLIAMSON: -- and the business.
2 So, do we want to let whoever the chair is of
3 the hearing panel be in charge of how long
4 any individual hearing lasts?

5 MS. CRANFORD: Yes. I just think
6 putting people on notice that that's the
7 practice. And that, you know, at some point,
8 if their information becomes cumulative and
9 unnecessary, the chair has the ability to
10 conclude the hearing.

11 MR. JOHNS: I think you'll see that in
12 this new model.

13 MS. CRANFORD: I think you will too.

14 MR. JOHNSON: You just brought up
15 something. Are we going to appoint a chair
16 for each team?

17 MR. WILLIAMSON: Well, that's -- that's
18 a question -- that's a good question.
19 Because this chair, under our current bylaws,
20 is an ex officio member.

21 I think it would be a good idea, since
22 we are talking about roughly half the board,
23 for the chair and the vice chair to not be on
24 the same panel.

25 So that either the chair serves as the

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1 chair, or the vice chair serves as the chair.
2 And we can put that in writing, or we can
3 just have to keep that to ourselves. Unless
4 you just want to come to all of them.

5 MR. SANFORD: If Sheriff Johnson's group
6 is to hear it, and he is unable to attend,
7 are we still going to be able to meet with
8 the four without either the chairman or the
9 vice chairman?

10 MR. WILLIAMSON: I think that it would
11 be a good idea to have a policy for if that
12 happens, both for the full board, but also
13 for the hearing panel. Especially because
14 you don't want that derailed by a sickness or
15 an absence, you know, that's last minute.

16 MR. SANFORD: Is it legally defensible
17 for him, just for him -- for us to give him
18 the ability to appoint someone in his
19 absence?

20 MR. WILLIAMSON: Again, I think the way
21 it looks is completely up to us -- or y'all,
22 rather.

23 I think that if that needs to be the
24 policy is that it's pro tem for the day, then
25 that would be the safest bet because somebody

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1 that's already there gets that role.

2 MR. JOHNSON: Yeah.

3 MR. SANFORD: I think that's the best
4 way to do it because that's the cleanest way.

5 MALE SPEAKER: It's going to happen.

6 MR. JOHNSON: And it don't have to be
7 sick. It can be a lot of things.

8 MR. WILLIAMSON: It could be a conflict,
9 is the other thing. In cases of a conflict,
10 what happens when the chair has a conflict
11 because of, you know, the officer that's
12 called up?

13 So that would be -- and then that way
14 you would have the agenda for that day in
15 advance. And you could say, all right, well,
16 who needs to not be appointed for today? So
17 that person can properly recuse.

18 MR. JOHNSON: We just need to make sure
19 that (indiscernible) and Chief Hall are not
20 on the same board. That would stop a lot of
21 that.

22 MALE SPEAKER: It will also give you
23 that flexibility to appoint it to -- when you
24 know you've got a conflict just with him.
25 Right.

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1 MR. WILLIAMSON: As long as we know.

2 MR. JOHNSON: All right. We've got a
3 long motion that includes a lot of things.

4 MR. WILLIAMSON: I have it written down
5 as, motion for the board to be presented with
6 a bylaw -- a proposed bylaw amendment to
7 approve a hearing panel consisting of five
8 members of the board, meeting as needed. And
9 the panel chair has the authority to
10 determine the length of the hearing. And
11 that the panel chair is either the chair, the
12 vice chair, or the named pro tem for that
13 day -- that hearing panel meeting. Is that
14 acceptable?

15 MR. SANFORD: I would alter the verbiage
16 of control the length of the hearing to have
17 control over the -- however you want to --

18 MR. WILLIAMSON: I wrote down determine.
19 Is determine a better word than control?

20 MR. SANFORD: Yeah, I just don't want it
21 to stipulate that the person can say, "All
22 right. Well, you've got an hour. Go."

23 You know what I mean? I want it to be
24 clear that that's not what we're doing.
25 We're -- like, whatever word you would use

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1 for the judge controlling the courtroom.

2 MS. CRANFORD: I like your
3 recommendation. The rule that the judge, you
4 know, controls the order and the length and
5 the content of the witnesses. We could word
6 it like that.

7 MR. WILLIAMSON: The chair -- yeah, I'll
8 find that rule. Yes. But basically,
9 "discretion" is the word that Lindsay just
10 used. And I think that's the best word.
11 Discretion to control the order and the order
12 and the --

13 MR. JOHNS: Decorum.

14 MR. WILLIAMSON: That's it. Yeah,
15 maintain decorum. Anything else?

16 MR. JOHNSON: All right. We have that
17 wording. Do we have someone that will make
18 the motion and he'll write the wording?

19 MR. QUAKA: I will make that motion,
20 John Quaka.

21 MS. COLEMAN: Kassie Coleman, second.

22 MR. JOHNSON: Second. Any further
23 discussion?

24 All in favor say, "aye."

25 ALL: Aye.

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1 MR. JOHNSON: Any opposed?

2 All right, Director.

3 MR. JOHNS: Thank you, Mr. Chairman.

4 Next item is this recognition of diplomas.

5 There's been a discussion -- and we are
6 somewhat inundated as applications come in
7 for certification through the academies with
8 recognition of diplomas from online onto a
9 charter by other post agencies.

10 And in reviewing our process and the
11 application for certification that is
12 presented as you go through the academy --
13 when you look at the list of all the things
14 vetted and everything -- and the things
15 signed by the affirming officer as well as
16 the applicant, the staff recommends to the
17 board that agencies in that vetting of a
18 diploma's authenticity is part of the officer
19 vetting process, not a duty of Standards and
20 Training to make sure that they authenticate
21 any such transcript or degree.

22 MR. JOHNSON: We've heard the
23 recommendation of the director,
24 authentication of degree not to be on their
25 staff. Do we have a motion?

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1 MR. HENRY: I'll make that motion. I
2 will.

3 MR. JOHNSON: Do we have a second?

4 MALE SPEAKER: I'll second.

5 MR. JOHNSON: Any more discussion?

6 All in favor say, "aye."

7 ALL: Aye.

8 MR. JOHNSON: Any opposed?

9 That will carry.

10 MR. JOHNS: Chairman, that brings us to
11 equivalency exams for military personnel and
12 external law enforcement officers. As of
13 August 31, 2024, 91 individuals have taken
14 the exam with a median score of 79. Only two
15 have failed it.

16 The current testing location requires
17 officers to travel here to DPS Canton,
18 resulting in some cases a six-hour trip for a
19 1-hour test. Our proposal from staff is to
20 offer exams at select police academies to be
21 proctored by a designated academy using our
22 new Acadis software starting in late
23 November.

24 However, we have identified issues.

25 Some answers on the test need to be clarified

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1 and qualified prior to rollout with the
2 assistance, in our recommendation, of a quick
3 response group composed of three law
4 enforcement training academy directors along
5 with staff to resolve.

6 And I believe that Captain Hendry also
7 has some thoughts on that. I'll turn it back
8 over to the Chair.

9 MR. JOHNSON: Captain Hendry?

10 MR. HENRY: We were asked to proctor the
11 exams just as a more efficient way to
12 administer the test, which I think is a great
13 idea.

14 But during that process with Josh
15 Broman, he sent it to me -- to our academy so
16 we could take it and see how it worked, or
17 didn't work, with our IT and our networking
18 and all the technical parts of that, just as
19 a sample test.

20 So me and two of my staff took the exam.
21 Once we completed it, the score was
22 surprising. Between the three of us, we had
23 70 years of law enforcement experience and
24 two college degrees, and we scored a lot
25 lower than we thought we should have.

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1 MR. JOHNSON: We might need to have a
2 hearing.

3 MR. HENDRY: We might. I don't know if
4 that speaks to us or if it speaks to the
5 test.

6 I think what I did was, I did my
7 homework, and I looked at the bank -- test
8 bank. There's a lot of questionable, if not
9 outright wrong, answers and questions on that
10 test. And I don't know where the -- I don't
11 really have the information pinned down on
12 where the test questions came from and how
13 they were vetted. And I hope that some of
14 this stuff we're not teaching at the
15 academies.

16 But I know that some of the questions
17 may not be illegal, per se, for an officer to
18 act in a certain way, but it's certainly not
19 accepted practice. And those kind of answers
20 are prevalent throughout that test.

21 It may not be violating somebody's
22 rights, for example, to randomly go on a
23 fishing expedition by asking consent to
24 search vehicles with no reason, but according
25 to the test, that's okay. Well, that's

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1 certainly not an accepted practice, and
2 something I hope we're not teaching at a
3 basic class level.

4 MS. COLEMAN: I can speak to that
5 because I actually teach constitutional law,
6 and that is US Supreme Court law that you can
7 ask for consent. And I think it kind of
8 depends on how you, you know, how you
9 interpret that.

10 Like, you see that as a fishing
11 expedition, but it's just a pretty basic line
12 of when can you ask for consent and when can
13 you not. Mostly to differentiate the
14 difference between, "Hey, empty your bag,"
15 and, "Would you mind showing me the contents
16 of your bag?"

17 So, I think that may be -- it may be an
18 issue when, again, we're not giving
19 instruction. We're just giving them a test
20 to see if somebody has given them
21 instructions. Does that make sense?

22 MR. HENDRY: Right. And with no context
23 in the text question, and specifically -- and
24 I need to add more information to that.

25 Specifically, the question says, Without

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1 any other articulable facts, they can ask
2 permission to search the car. And, I mean,
3 I've done, you know -- at least in our
4 federal district down on the coast and our DA
5 down there, if you're going to search a car,
6 you better have a reason that you're asking
7 them.

8 And I think whatever the standard
9 practice is is what we need to be -- accepted
10 practice is what we need to be asking. But
11 the questions that I have a lot of questions
12 or concerns about are those ambiguous
13 questions with no context.

14 I think that we could review and come up
15 with a better way to screen these officers
16 taking this test.

17 MS. COLEMAN: Yeah. And I don't know if
18 we ever saw the test. I know that they
19 solicited, sort of, questions from, I guess,
20 the academies and instructors, but I know I
21 personally have never seen the bank of
22 questions.

23 COL. HAYNES: I got a lot of friends
24 here. So if y'all want to throw me out of
25 here, I hope that some of my friends step up.

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1 But I think what we're talking about is
2 highlighting a very significant issue when it
3 comes to policing in Mississippi.

4 The variations of training, it's a far,
5 wide ditch with the level of services that
6 you get in different parts of the state. You
7 can definitely tell the difference.

8 And if we have a test like this, I think
9 that it needs to be looked at by this board,
10 but also people of -- like, you're a college
11 professor. I'm one.

12 People who can set that baseline to say,
13 this is across the board, generic to some way
14 to understand the competency level of the
15 people that are taking the test. Because
16 just the question that you got, Captain, that
17 was, I mean -- anybody in here, I mean, you
18 have far and few between very different
19 answers.

20 And now you're talking about
21 streamlining something based on a test that
22 we really don't know meets the surge of
23 demand of the state, if that makes sense. So
24 hopefully in the future, that's something
25 that we can look at.

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1 Because now at MLEOTA, they're required
2 to take an entry assessment, and you're also
3 not required to take an exit assessment. And
4 it's not pass or fail. But we want to know
5 that our efficiency -- how well are we doing
6 when you send somebody that you trust us to
7 train? Did they learn? And also, where can
8 we get better based on the data that we're
9 seeing?

10 But I don't think you can get a baseline
11 test without randomly having people -- peace
12 officers -- throughout the state taking this
13 same exam and start seeing the commonalities.
14 But that's just my thoughts on that.

15 MR. SANFORD: So what we're being asked
16 to look at is, can you have it more than one
17 place?

18 MR. JOHNS: Our recommendations: one,
19 that as we move it to the online presence
20 through the Acadis system, that is our
21 electronic records management system, that
22 we're -- we'll do rosters and applications
23 and everything. We'd like to move that -- we
24 would like to host it in selected admitted
25 academies as we build and test it with

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1 Captain Hendry.

2 The other request within that would be a
3 determination by the board if the test may
4 need to be paused as it's reviewed, since
5 some of the questions may be subjective. And
6 we would certainly put that out for the
7 pleasure.

8 COL. HAYNES: Sir, I would like to at
9 least see a couple of academies take a look
10 at this. I'm not saying -- I'm not, you
11 know, saying that you all are not doing it,
12 but I think if you all are seeing that in
13 what you discovered, we may see it in some of
14 the other academies also --

15 MR. JOHNS: We said to three.

16 COL. HAYNES: -- to help. Three?

17 MR. JOHNS: Three academies.

18 COL. HAYNES: Do you already have them
19 selected?

20 MR. JOHNS: No.

21 COL. HAYNES: Not yet?

22 MR. JOHNS: Not yet.

23 COL. HAYNES: Can I throw my name in the
24 hat?

25 Captain Harris is back there. I'd like

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1 to see at least MLEOTA from the state basic
2 side -- somebody from there, either Tony or
3 somebody from the shop -- to help you all
4 with that.

5 MR. JOHNS: Yes, sir.

6 MR. HENRY: It would also help me, like,
7 you know, if there is an attorney that we
8 could maybe not have to be totally involved,
9 but have somebody that would be willing to
10 accept, you know --

11 MS. COLEMAN: I would be willing to look
12 at it. Like I said, I have not seen it, so,
13 I don't know.

14 MR. HENRY: I have the whole test thing
15 here.

16 MS. COLEMAN: I'd be happy to review
17 them and give input or feedback.

18 MR. HENDRY: Okay.

19 MR. QUAKA: You know, what I recall, the
20 board, we saw ten sample questions. And
21 that's all we ever saw.

22 MR. HENRY: Well, even as an academy
23 director, when this first came out, like,
24 I -- we had no idea what this test consisted
25 of, what people needed to know whenever they

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1 showed up here to take it. And it was a
2 secret.

3 I mean, I asked. I called up here and
4 asked during that time, and they wouldn't
5 tell me.

6 It was like they said, if he's ready to
7 be a police officer, he'll pass the test.
8 And, you know, which it is what it is.

9 But at this point, I'm concerned about
10 what we're testing for. Like, what are we
11 asking? What are we trying to figure out
12 here? And I don't think that these questions
13 satisfy that. I'm not sure.

14 MR. JOHNSON: Well, I was on the board
15 when all of that was approved and was put in
16 the hands of educators, college professors
17 that taught criminal law. There were some
18 academy people on it.

19 And again, you will learn, or we have in
20 the past, that there are many that come
21 before this board trying to find some
22 loophole to not go to the academy. That's
23 what they do. Trying every way in the world
24 not, you know -- to lessen the training or
25 get a loophole in.

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1 And this was one of them, that an
2 out-of-state person coming that's had the
3 equivalent training as Mississippi, why in
4 the world they'd have to go through the
5 entire academy?

6 And this was the solution -- was to do
7 the test to see how far along they were in
8 the training that they received out of state
9 compared to what Mississippi teaches. And if
10 they made this score, then we gave them a
11 certificate.

12 That was the whole purpose behind it.
13 But it was -- it was made up. That committee
14 was made up. I didn't sit on it. I don't
15 remember who all we put on it.

16 MS. COLEMAN: I was asked to submit
17 questions that I could get from other
18 instructors and, I think, from MLEOTA. But,
19 I mean, I never -- I guess what I'm saying
20 is, I never saw a final product.

21 And I don't even know now. Is that,
22 like, a bank of questions, and it just
23 generates differently for each person?

24 MR. HENRY: Yes. There's like 191
25 questions in the test.

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1 MR. JOHNSON: I know MLEOTA has
2 answered. And Director McKinney from Tupelo.
3 If your academy is -- how many academy
4 directors do we have here today?

5 If you are selected, are y'all okay with
6 hosting?

7 If you are selected, how do y'all feel
8 about it being the one that has to host it?
9 Because we're putting a burden on you.

10 Okay. All right. We've got a
11 recommendation to allow the --

12 MR. SANFORD: Yeah, here's the motion
13 I'll make. I'll make two. I'll make the
14 motion that we allow them to do remote
15 testing -- proctored remote testing. And
16 that's what's asked. Right?

17 All right. So that's my motion.

18 MS. COLEMAN: I would second that.

19 MR. JOHNSON: Okay. We have a motion.
20 Any other discussion?

21 All in favor of allowing that say,
22 "aye."

23 ALL: Aye.

24 MR. JOHNSON: Any opposed the same.

25 MR. SANFORD: All right. So, I'm going

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1 to preface this with a question. Does the
2 board or does the office have the authority
3 to do a review, or at least begin the process
4 of a review of this test? Would that come
5 from your office?

6 MR. JOHNS: We would ask the board for
7 authority to do that and to pause any testing
8 until that is done.

9 MR. SANFORD: Okay. I won't go as far
10 as saying pause the testing. I think that's
11 up to you guys, but I will ask that you --
12 that the office create a panel of some sort,
13 or review process of some sort, to look over
14 this test.

15 And I ask that we do it annually to stay
16 in -- to stay on top of the most up-to-date,
17 best practices. So if I worded that the
18 right way, that's what I'm -- that would be
19 my next motion.

20 MR. JOHNSON: Do we need to authorize --
21 I mean, because we've authorized -- the board
22 has already voted on allowing the test.
23 Something's got to stop it.

24 Or you're going to continue to give it
25 while this panel is doing it. So I think

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1 that's --

2 MR. JOHNS: Or give the option to, in
3 your motion, for us to pause it under review.

4 MR. SANFORD: So I'll leave the decision
5 to pause upon the office. That's the best
6 way I know. Because I don't know enough
7 about it to be comfortable making a motion to
8 say yes, you need to do it or not. So unless
9 somebody wants to amend that in some kind of
10 way. I don't know enough about it.

11 MR. JOHNS: Mr. Williamson, do you think
12 that is sufficient?

13 MR. WILLIAMSON: Well, do you want to --
14 do you want to pause it until the board can
15 look at it at the next meeting?

16 MR. SANFORD: Sure.

17 MS. CRANFORD: We could put a time
18 limitation on the pause if we didn't think
19 that -- I don't know how long or how burdened
20 --

21 MR. SANFORD: I don't want it to go on
22 in perpetuity.

23 MS. CRANFORD: -- and get it in front of
24 us so we can review these questions and see
25 how concerned we really are.

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1 But if we think reasonably that's
2 something that can be done before the next
3 board meeting, then I would not -- I would
4 not hesitate to say, let's ask for
5 consideration for this to pause the test, and
6 then for us to form a review panel to make a
7 recommendation at the next board meeting
8 about whether or not the test needs to be
9 revised. And I'd make that motion.

10 MR. SANFORD: Let's do that under the
11 lens now of the fact that we're not going to
12 meet again until November 14, and there's
13 constantly people being hired, and people
14 that would be eligible for this test.

15 Are we still within that window that
16 they would be okay, or is there a certain
17 amount of time they have to have this test?
18 I don't remember that.

19 I don't want to jam up somebody's police
20 department. So how long do they have to take
21 the test?

22 MR. JOHNSON: Isn't it a year?

23 MR. JOHNS: 120 days. We're within
24 that.

25 MR. SANFORD: So we'd be good on that.

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1 Even if they hired during this downtime, they
2 could still -- we'll still have the decision
3 to make it. That's what -- I don't want to
4 mess somebody up.

5 MR. QUAKA: Mr. Chairman, how many of
6 our academy directors have issues with the
7 content of this test?

8 How many of our academy directors have
9 an issue with the test? Or have y'all even
10 had to deal with that?

11 MR. JOHNSON: They've not done the
12 testing. They're sent to here to take it.
13 Somebody proctors it, but they don't -- they
14 don't get involved.

15 Now they may have -- did any of y'all
16 see the test or was part of approving the
17 test?

18 MR. HENRY: I only saw it because I took
19 the test. And then I asked for the test
20 bank, which the office provided.

21 And I did talk to Tony, and I talked to
22 Amy Vanderford about this. They agreed it
23 probably needs to be looked at after I spoke
24 with them.

25 MR. QUAKA: How many questions are on

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1 the test?

2 MR. HENRY: It's 100 questions on the
3 test. There's 191, I think, in the test
4 bank.

5 COL. HAYNES: The thing is, when you
6 look at it, it says 91 individuals have taken
7 the exam, median score of 79. Two
8 individuals failed.

9 And we're not talking about the ability
10 of people passing themselves. I think we're
11 talking about streamlining everything that
12 we're doing that's service ready for us in
13 the state.

14 So if we can get other people, I don't
15 think we have to pause it. If you get a
16 training director's equivalents to take a
17 look at it, and we find what those are and
18 try to iron it out, I think we'll be fine.

19 MR. JOHNS: And we'll get that test bank
20 out to the board.

21 MR. SANFORD: All right. So my, like,
22 official review -- or my official motion is
23 that we request that the office put forth a
24 way to review the test and present it to us
25 at the next thing -- at the next meeting.

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1 I'm going to stop short of saying pause
2 it. If somebody else wants to make that
3 motion and get it passed, that's fine. Like
4 I said, I'm just not -- I don't know enough
5 about it to do it. So that's where I'm at on
6 my motion.

7 MR. JOHNSON: There's a motion. Is
8 there a second to that motion?

9 MS. COLEMAN: I will second.

10 MR. JOHNSON: There's a second to that
11 motion. Is there any other discussion on
12 that motion?

13 All in favorite that motion say, "aye."

14 ALL: Aye.

15 MR. JOHNSON: All opposed to that motion
16 say, "aye."

17 That motion carries.

18 MR. JOHNS: So, I do have a list of 73
19 individuals, not just that have completed
20 equivalency, not just by the test, but by
21 refresher skills update that we would put
22 before the board.

23 I have taken number 41, James Arrington,
24 Meridian Police Department, off the list for
25 further review and investigation by this

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1 office. Other than that, we would submit
2 this equivalency of training full-time
3 roster, and that varies from the refresher to
4 skills update to this test that we're
5 discussing for approval by the board.

6 MR. JOHNSON: In that -- and we have
7 approval for 72, not 73, by removing number
8 41 off of this list. Do we have a motion?

9 MR. QUAKA: I would like to ask the
10 director a question.

11 MR. JOHNS: Yes, sir.

12 MR. QUAKA: Director, number 4, the hire
13 date is circled there. This individual has
14 been working for three years without sending
15 in an application. Is that how I should read
16 that?

17 MS. PERKINS: Yes. And I did -- I did
18 contact the Department of Corrections, and I
19 questioned that. And I did receive an email
20 from their HR, and they did confirm that he
21 did -- he was hired. He is on their rosters,
22 and they did fail to submit his application.

23 So I do have verification from them that
24 he was hired on that date.

25 It is on the Department of Corrections.

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1 It is not on our office. And Captain Hendry
2 brought that to our attention.

3 MR. JOHNSON: Any other discussion on
4 the motion by the director? Do I have a
5 motion?

6 MR. QUAKA: I'll make a motion to
7 approve this list for certain sections.

8 MR. JOHNSON: Motion to approve. Do I
9 have a second?

10 COL. HAYNES: Second. Charles Haynes.

11 MR. JOHNSON: Second.

12 Any discussion?

13 All in favor say, "aye."

14 ALL: Aye.

15 MR. JOHNSON: Any opposed likewise.

16 All right. Director.

17 MR. JOHNS: So, item 9 is the bylaws and
18 policy review. And I think we kind of
19 discussed this for most of the meeting that
20 we, in cooperation with the board attorney,
21 will review the current bylaws as provided
22 with the draft to present to the November
23 board meeting incorporating new statute and
24 modernization changes such as video meetings
25 and electronic voting.

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1 Also bring to your attention that the
2 policies and operational policy of this board
3 is subject to overview with our professional
4 license, or regulatory commission, with our
5 procedures as well. I think we'll be having
6 a meeting at the end of the month that we'll
7 be going to. Just making those of you that
8 are new on the board aware of that process as
9 well.

10 MR. JOHNSON: All right. Item 10.

11 MR. JOHNS: Item 10 was placed on here
12 due to some concerns -- I think my
13 predecessor, Director Roman's arrival, and
14 conversation we had concerning Mississippi
15 Code 37-7-321 and 37-7-323, school district
16 law enforcement -- about our current
17 practices and related issues by this office.

18 So I spoke with our board attorney on
19 this matter and had some discussion on this.
20 There's concern that we have kind of
21 parallels of working in higher education the
22 last 18 years, that we have school districts
23 that decide for whatever reason in their
24 board meetings that they are going to form an
25 agency and hire officers.

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1 In the past they have reached out to
2 this office for authorization to do that. I
3 do not find any ability of this office to
4 authorize them to become a law enforcement
5 agency, and am therefore reluctant to issue
6 them a letter stating that they can do that.

7 I think they have the ability to vote.
8 And I will let the attorney, if he would
9 like, to speak to his response to me on
10 that -- for him to weigh in on that.

11 But I've just got some concerns that we
12 need to stick to the business of standards
13 training, and that one of them is not
14 approving school police departments any more
15 than we would approve of college and
16 university police departments to be created.

17 But I would defer to the board attorney
18 on his comments in our discussion on that.

19 MR. WILLIAMSON: So Mississippi Code
20 annotated 37-7-321 is short enough that I can
21 read the operative language.

22 Paragraph 1: The school board of any
23 school district within the state of
24 Mississippi, in its discretion, may employ
25 one or more persons as security personnel and

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1 may designate such persons as peace officers
2 in or on any property operated for school
3 purposes by such board upon taking their oath
4 and making such bond as required of a
5 constable of the county in which the school
6 district is situated.

7 Paragraph 2 of the same statute requires
8 that, for that person, they have to be
9 certified by the school.

10 Okay. Nothing about the statute -- I
11 mean, this statute is law -- is current law
12 that says the school district can hire school
13 security and pay them.

14 Nothing about that, though, I read as
15 they have to get permission to form an office
16 from this board first. In fact, there is
17 some case law, or some litigating disputes,
18 out there where some school districts have
19 hired individual officers stopping short of
20 forming an actual police department. So I
21 think that's permissible under the statute
22 just like forming your own police department.

23 There are several ways you can get to
24 the same result. You can enter into an
25 interlocal agreement with the sheriff's

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1 office or a local municipality or board of
2 supervisors or whatever necessary entity.

3 But none of that requires permission or
4 approval from this office or this board. So
5 that's the research that I did. It just
6 strictly says this board determines whether
7 or not those officers are certified. That's
8 it.

9 MR. JOHNS: To the completion of that --
10 so, we recently received a letter from --
11 Donna, help me with the name on this. The
12 Clarksdale?

13 MS. PERKINS: Clarksville Collegiate
14 Public Charter School District.

15 MR. JOHNS: And then the opinion -- and
16 look, I don't want to put words in your
17 mouth. But the opinion, in my understanding
18 from the board of attorney, was that under
19 their -- their act, that they do not have the
20 ability that they would be obligated to enter
21 into a local agreement to do that.

22 I'll turn that back over to you for
23 confirmation.

24 MR. WILLIAMSON: That was -- that was
25 what my research shows, because that is not

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1 the same as a -- well, I understood that to
2 be a private school.

3 So assuming that understanding is
4 correct, I don't view that the same way as a
5 public school system with an elected school
6 board and et cetera.

7 So that, to me, is what's different and
8 doesn't put them under 37-7-321's ability.
9 That was how I got there.

10 MR. JOHNS: And beyond that, and since
11 coming into this role for a very short period
12 of time, I have heard from both within and
13 without the agency concerns about school
14 district police. And within the role of
15 officer certification and agency
16 accreditation, you know, we do look at that,
17 at both sides of the coin there.

18 But I think any concerns directly
19 related to their creation or appointment
20 would have to be direct to the legislative
21 process.

22 MR. WILLIAMSON: I think our role is
23 strictly whether or not their officers are
24 certified. I just don't find any other
25 authority to inject ourselves.

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1 MR. JOHNSON: It seems pretty clear.
2 All right. Anything else on 9?

3 MR. JOHNS: No, sir.

4 MR. SANFORD: I do have -- before we
5 close it, I do have a question. I know one
6 thing that we also have as a board is we
7 control the power of the purse, or at least
8 your office does in that reimbursement for
9 training, reimbursement for hours, things
10 like that.

11 So it's -- I think your office has a lot
12 of leeway to kind of get some of this
13 ridiculous stuff squared away when it comes
14 to, "I've worked for three years and haven't
15 turned in a --

16 MALE SPEAKER: Noncompliant.

17 MR. SANFORD: Yeah. Just the sheer
18 degree of noncompliance that we've come
19 across on this board is asinine.

20 MR. JOHNS: It's mind boggling.

21 MR. SANFORD: It really is. So I don't
22 know if we need to make a motion to do it or
23 whatever, but I think it would be incumbent
24 upon us, just as a group and as your office,
25 to come up with a way to hold these agencies

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1 accountable for just this sheer, blatant
2 disregard for what the guidelines say that
3 they're supposed to do regarding turning in
4 the -- turning in their certificates when the
5 people leave. And just the basic things that
6 you do as a functioning law enforcement
7 agency.

8 So what is the best way that we feel
9 that that needs to be addressed?

10 MR. JOHNS: We've had some discussions
11 on that because, I'm going to be honest, I've
12 been appalled at some names that I've seen
13 that have not responded to our letters.

14 And my first thought is, are they seeing
15 this? Because it was hard for me to believe,
16 knowing them professionally, that that person
17 had not responded. And it was our third
18 request.

19 And so you're thinking, okay, is
20 somebody opening this and tossing it in the
21 trash? Is it, you know, is there something
22 else at play?

23 So, you know, we'll -- I think the
24 investigators is a leg forward, but there's
25 also the -- as you said, the power of the

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1 purse. So we are working as we spin up, and
2 I think, you know, we don't want to get
3 punishment ahead of anything else that we're
4 doing.

5 But I do think that there are ways to
6 say, okay, if you are not in compliance with
7 Standards and Training with your people, then
8 you will not be eligible to talk to the other
9 folks in the building about funding -- you
10 know, funding through Homeland, funding
11 through JAG, funding through those -- just as
12 much as the federal agencies do if you're not
13 in compliance with their items as well.

14 And so that's certainly on the table for
15 us to look at. And we'll be bringing things
16 of that matter to the board.

17 But I think that -- I think we're
18 thinking in the same direction.

19 MR. SANFORD: That's good.

20 MR. JOHNSON: We went down this rabbit
21 hole before. The board's authority is to
22 govern and regulate the officer
23 certification, which has nothing to do with
24 department policies and rules and
25 regulations. So the punishment part on the

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1 board is to punish the agency head because
2 it's not the officer's fault that chief or
3 sheriff didn't send the stuff in for whatever
4 reason.

5 But we even went down the possibility of
6 getting to the State Auditor's Office of
7 having a department that was in noncompliance
8 with Standards and Training still paying an
9 officer, which was the possibility of
10 misappropriation of funds by not following --
11 I mean, we went that far with it.

12 But I think maybe all we did was talk
13 about it. But I'm like him, there's
14 something that's got to be able to hold the
15 department head or the boards that govern
16 that to some kind of -- and that's what it --

17 MR. JOHNS: Well, we just had some
18 applications that they got back in December
19 of '22 that were just delivered to our
20 office. That's -- you know, it's a problem.

21 I mean, it is an immediate problem. I
22 can believe some of the efficiencies that
23 we're moving toward with Acadis -- online
24 rosters, online applications, fillable forms.
25 Doing away with, we send you a form in the

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1 mail, you mail it back to us. That the time
2 lost there -- I think closing that gap closes
3 some of the loopholes that we've talked
4 about. And I believe -- you know, I don't
5 believe I'm fooling myself with this -- I
6 believe on the horizon there's a more
7 efficient way of doing business.

8 And I think when you clean up some of
9 that paper that's just flowing through the
10 system -- and it's all at your fingertips as
11 an agency. And it's at our fingertips as the
12 regulator and the certifier. I think that
13 efficiency improvement kind of improves that
14 communication as well.

15 And there may be a time that the
16 director or an investigator has to go sit
17 down and say, hey, is there a reason that
18 you're not answering us on this?

19 And I've also been told that there are,
20 you know, boards and HR departments, things
21 that like to sanitize stuff before they send
22 it to avoid litigation -- the litigious world
23 that we live in. But, you know, at the end
24 of the day, if somebody is discharged for
25 cause, you know, we need to know.

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1 Because it may be something that can be
2 dealt with, and it may be something that a
3 revocation is in order. And so, just in
4 order to see what has occurred.

5 COL. HAYNES: I think that's the letter
6 of what you just said. It's definitely -- I
7 know we've talked about it, I think, before.

8 I ran into that, of course, because I
9 have a couple of items that I need to send.
10 And based on pending matters a lot of times,
11 it gets kind of held up.

12 But I think what you all are doing
13 should help with that. Especially if you get
14 rid of the snail mail and sneaker net,
15 especially the larger departments. It's
16 going to get lost in some form or fashion.

17 MR. JOHNS: We have been piloting the
18 electronic roster. To me, it's night and day
19 over what they've got.

20 But you're exactly right. I think some
21 of it is unintentional. Okay, I'm waiting on
22 the outcome. But I think some of it is that
23 we have some departments -- and then I always
24 like to champion for the little guy.

25 We have some departments that are just

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1 not capable of getting there. And some of
2 that has to do with 85% of American policing
3 is small agencies. And in those small
4 agencies, the chief may be juggling today's
5 list of crimes. And if that letter is
6 sitting over there requesting some
7 information -- and it gets buried.

8 And I think having somebody say, hey can
9 I get that from you? Oh, yeah.

10 You know, I think that -- and that's all
11 about communication. I think that -- and I'm
12 not saying that we haven't been
13 communicating, but having field personnel
14 allows us to communicate in a different
15 manner.

16 MR. SANFORD: Thanks for addressing
17 that. I appreciate it.

18 MR. JOHNSON: Anything else on Item 10?

19 MR. JOHNS: No, sir.

20 MR. JOHNSON: I will say this going back
21 to one of the things, as far as a hearing is
22 concerned -- I'm only speaking for myself --
23 Mondays and Tuesdays are not good.

24 It can be any day besides that and
25 somebody else may can go ahead and throw out

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1 a day that's not good.

2 MR. SANFORD: You're the other boss,
3 when do you want it?

4 MR. JOHNS: Friday is the only day I
5 can't.

6 MS. PERKINS: Wednesday it is.

7 MR. JOHNSON: Does anybody else have any
8 other thing?

9 MR. HENRY: Sheriff, I have one more
10 thing I forgot to bring up about the tests.
11 And maybe with the board's consensus on this,
12 this was something that I experienced at our
13 academy recently.

14 We had a cadet come through the basic
15 class. He could not pass the PT test. He
16 didn't graduate. We gave him 90 days.
17 Somehow he got a doctor to extend that
18 90 days with a medical extension for another
19 90 days.

20 He took the test two more times. He
21 failed it two more times. And I never heard
22 another word from him. I just thought he
23 walked away.

24 I come to find out, he applied to take
25 the equivalency exam. It was given to him.

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1 He passed the equivalency exam and got his
2 certificate.

3 So I think that's something that the
4 office -- maybe we need to write a policy or
5 something to say --

6 MR. JOHNS: Was that an in-state
7 candidate?

8 MR. HENDRY: Yes, sir. Well, he was
9 military. So he was a military policeman,
10 and he was allowed to take the test.

11 So I would recommend that once they
12 begin the academy, once they begin the
13 academy --

14 MS. CRANFORD: I'll say something to
15 that. I have been inundated with military
16 paperwork. We have gone from no paperwork
17 for military to, I am swimming in military
18 applicants.

19 And I don't know what's going on, but
20 22, 23 year old military applicants -- my
21 phone, my computer are being blown up with
22 them. If you want to revisit the military
23 equivalency, please go right ahead.

24 MS. COLEMAN: Well, I think that statute
25 is going to be somewhat hindering and maybe

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1 what we all think is appropriate --

2 MR. HENDRY: Well, I think that the way
3 we design the tests will help with that, to
4 get the right -- well and who -- right -- and
5 who passes it, right?

6 I think the people that we're looking
7 for ought to have a pretty good idea about
8 what it means to be a policeman.

9 MR. JOHNSON: If you have one way to get
10 a certificate, it stops a lot of problems. I
11 said it in 2005. If there was only one way
12 to do this and one way only, it wouldn't be
13 all of this.

14 Like I said, we deal a lot with
15 loopholes of how to get this done without
16 doing it the way I did.

17 Anything else?

18 MR. HENDRY: Yes, sir. One more thing,
19 kind of on that note is, I know we spent a
20 lot of time and we passed the resolution to
21 allow the agencies to verify the education
22 for the candidate.

23 MR. JOHNS: High school diploma.

24 MR. HENDRY: High school diploma, right.
25 I don't know how we verify out-of-state

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1 candidates that are eligible to take the
2 equivalency exam. Whether that's just a
3 letter from -- is it just a letter we
4 received from that post state?

5 MS. CRANFORD: Right. I contact the
6 out-of-state post and get their verification
7 from them.

8 MR. HENDRY: Maybe -- I don't know if
9 it's even possible, but this was another
10 experience that we had at Harrison County
11 where a guy came from Louisiana. He sent the
12 application, and he'd been out of law
13 enforcement altogether for years,
14 seven years, I think he said.

15 But the agency that he worked for never
16 terminated or sent back his certificate for
17 that state. When they sent his letter to
18 that state, the post said he's active, which
19 he hadn't been for seven years.

20 He was eligible to take the exam. Of
21 course he passed it. And he shouldn't have
22 been able to do that.

23 So is there a way, or do we have
24 resources to verify any of that information
25 with the last known agency that they work for

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1 by just a phone call?

2 MS. PERKINS: You know the thing -- and
3 I've made this comment recently, Louisiana
4 Post has changed their paperwork. They don't
5 even list previous employment.

6 When I contact them, they tell me
7 whether their certificate is active or not,
8 and they give me their certificate number,
9 and that's it. They don't even give me their
10 previous employer, academy, anything.

11 And to me, that's ridiculous. They have
12 abbreviated that form. Now, I can ask
13 Rebecca, who's my contact, my counterpart in
14 Louisiana -- I can ask Rebecca, moving
15 forward, to give me previous employment.

16 MR. JOHNS: Could you make it part of
17 the application?

18 MS. PERKINS: On our form -- it's listed
19 on our forms.

20 MR. JOHNS: For our form, if you're
21 going to take the test, we have to know your
22 work history.

23 MS. TOBIAS: Right. On our form that I
24 send out to other posts, I have all that
25 listed.

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1 MR. JOHNS: But when they reply, it's
2 not included?

3 MS. PERKINS: Right.

4 MR. JOHNS: Well, I would say that that
5 then disqualifies you from taking the test.
6 If the form is incomplete you are
7 disqualified from taking the test.

8 I'm trying to wrap my head around your
9 situation because that's a -- so did he
10 complete MP school -- the six months?

11 MR. HENDRY: You're going back to the
12 one that took the test?

13 MR. JOHNS: Right. Going back to the
14 one that took the test.

15 MR. HENDRY: I don't know. I don't know
16 what military training he has. I can give
17 you his name. I will get that to you.

18 MR. JOHNS: We show the next meeting set
19 for the 14th. Then we did have a question,
20 although I could talk to Captain Hendry about
21 this, and Bryce may want to weigh in.

22 Some of the law enforcement directors
23 are concerned because they're ex officiate to
24 the board, and some of them could not be here
25 due to graduation. But I think there was

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1 more concern about moving it off the second
2 Thursday than there was -- I think just
3 because the hurricane is why we collided
4 against y'all.

5 MR. HENDRY: Typically, I mean --
6 Thursdays are typically okay. It's just four
7 times a year they might land on a Thursday
8 that we graduate.

9 MR. ALEXANDER: I just had a couple of
10 directors ask if we could possibly change it
11 to a different day because a lot of the
12 academy graduations are on Thursdays.

13 Right now -- there's two or three
14 graduations going on right now. Directors
15 had wanted to be here, but they weren't able
16 to because of graduation.

17 MR. HENDRY: And we graduate tomorrow,
18 so I was able to come today.

19 MR. JOHNSON: It's whatever. I think
20 our next meeting is scheduled for November
21 14, but if there is some concern about
22 changing that, we'll bring it up.

23 Everybody kind of look for the schedule
24 and come up with consensus of what the best
25 day is. The only thing I would suggest is

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1 make it the same throughout the year. Like
2 it's a second whatever week, or whatever,
3 instead of deciding the first of the month
4 because that's impossible.

5 MR. JOHNS: To the board attorney,
6 wasn't there some language there about
7 discretion of the chair?

8 MR. WILLIAMSON: Yes. You've got an
9 ability to call a special meeting in the
10 bylaws.

11 Article 5 of the bylaws is what sets the
12 regular meeting at 10:00 on second Thursday.
13 Although Section 2 of Article 5, all the
14 regular meetings of the board may be
15 suspended at the discretion of the chairman.
16 The board shall convene at least once every
17 three months.

18 Section 3, special meetings can be
19 called by the chairman if, in his discretion,
20 such meeting is justified. Moreover, the
21 chairman shall call a special meeting upon
22 the written request of five members.

23 So, I mean, technically this is a
24 special meeting. There was email, so there
25 was written request of at least five

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1 requesting that due to the hurricane, we move
2 it from last week.

3 MR. JOHNS: Right. Chairman, pursuant
4 to Article 6, we will get with you on the
5 appointment.

6 MR. JOHNSON: The next meeting is
7 scheduled for November 14. There's nothing
8 further.

9 (Time noted: 10:54 a.m.)

10

ORIGINAL: JEFF JOHNS, DIRECTOR

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1 CERTIFICATE OF COURT REPORTER

2 I, Christa Sherman, Court Reporter and
3 Notary Public, in and for the State of
4 Mississippi, hereby certify that the foregoing
5 contains a true and correct transcript of the
6 Board Meeting of Law Enforcement Officers
7 Standards and Training, as taken by me in the
8 aforementioned matter at the time and place
9 heretofore stated.

10 I further certify that under the
11 authority vested in me by the State of Mississippi
12 that the witness was placed under oath by me to
13 truthfully answer all questions in the matter.

14 I further certify that, to the best of
15 my knowledge, I am not in the employ of or related
16 to any party in this matter and have no interest,
17 monetary or otherwise, in the final outcome of
18 this matter.

19 Witness my signature and seal this the
20 30th day of September, 2024.

21

22

CHRISTA SHERMAN, CCR #1964

23

My Commission Expires: October 19, 2027

24

25