

**The Tennessee Peace Officer Standards and Training Commission met on Friday, June 19, 2015, at 9:30 a.m., at the Tennessee Law Enforcement Training Academy Annex, 3025 Lebanon Road, Nashville, Tennessee.**

**Chairman Ric Wilson called the meeting to order and welcomed everyone to the meeting.**

**The chairman recognized Commissioner Kim Wallace, who read the following disclaimer into the record: All POST Commissioners have previously agreed to recuse themselves from any vote that would constitute a conflict of interest. The most obvious of these would include any issues that involve our own department or someone we know personally. Because we have already agreed to this, it should be noted that in routine matters, it will be assumed non-verbally that commissioners have abstained from the vote. In bigger more controversial issues that may have a more overt conflict of interest or may have the appearance of impropriety, applicable commissioners will still verbally abstain from the vote.**

**Chairman Wilson entertained a motion to adopt the agenda. Commissioner Rhoades moved for approval, seconded by Commissioner Jenkins. The motion carried.**

**The chairman recognized Ms. Gay Rye to conduct roll call, which reflected the presence or absence of the following commissioners: Baker – present; Bennett – absent; Fanion – present; Chrisman – absent; Jenkins – present; Lax – present; Lewis – present; Long – present; Rhoades – present; Wallace – present, Wheeler – absent; Williamson – present; Wilson – present; Senator Bell – present; General Cherry – present.**

**A quorum was noted to be present.**

**There were no administrative matters for discussion.**

**Chairman Wilson entertained a motion for approval of the May 15, 2015 minutes. Commissioner Baker moved for approval of the minutes as submitted; seconded by Commissioner Lewis. The motion carried.**

**Chairman Wilson recognized Attorney Joe Underwood for the Informal Hearing Committee report, which met on Thursday, June 18, 2015.**

**Attorney Underwood reported the committee is making the following recommendations: David Ray Catchings, Chattanooga PD – recommending a formal hearing; Kevin Duane Kincer, Chattanooga PD – default order of decertification be issued; Deke Matthew Stone, Grundy County SO – default order of decertification be issued; Craig Glenn Brewer, Memphis PD – default order of decertification be issued; Anthony Campbell, Memphis PD – continue to the August meeting; Paris Denise Glass, Memphis PD – continue to the August meeting; Markeseo Demario Jackson, Memphis PD – recommending a formal hearing; Matthew Alan Shelton, Memphis PD – recommending a formal hearing; Alan Maxwell Roberts, Warren County SO – recommending a formal hearing.**

**Commissioner Jenkins moved to approve the recommendations of the Informal Hearing Committee, seconded by Commissioner Lewis. The motion carried.**

**APPEARING BEFORE THE COMMISSION/  
WAIVERS FOR PREEMPLOYMENT REQUIREMENTS – 1110-02-.03 + 1110-9-.04**

Cleveland State Community College - Higgins, Caleb Michael –  
Requesting a waiver for an Entry Level Separation from the Air National Guard in April, 2014. It was discovered during the Basic Military Training that he had Flat Feet. Requesting a waiver so he may attend CSCC.

Mr. Higgins was not present. Dwight Williams, Director of CSCC Training Academy was present seeking the waiver on behalf of Mr. Higgins.

General Cherry moved to approve, seconded by Commissioner Fanion. The motion passed.

Cleveland State Community College – Key, Jr., James Edward –  
Requesting a waiver for an Under Honorable Conditions (General) separation from the United States Army. This was his second enlistment for another duty station and had received an Honorable 4 ½ years earlier. He overslept one morning and missed PT formation and accountability, but lied to the first line supervisor telling him he had to take his pregnant wife to the emergency room. He was reduced in rank and pay was suspended, and was restricted to post for 14 days and received 14 days of extra duty. His squad leader put together a chapter packet with an Honorable Discharge, which went missing and the new BC Commander changed the discharge to General Under Honorable Conditions. Requesting a waiver so he may attend CSCC.

Mr. Key was not present. Mr. Dwight Williams, present on behalf of CSCC, stated he had not heard from Mr. Key.

Mr. Welch explained that General Under Honorable Conditions is a waivable offense. Gen. Cherry said this does not appear to be a serious offense. He added that the lie is probably the thing that gave Mr. Key the biggest problem.

Commissioner Lewis moved to approve, seconded by Commissioner Fanion.

Commissioner Williamson asked Director Williams if Mr. Key was not told to be present or asked to be here or if he overslept again. Director Williams answered that Mr. Key was told to be present. Chairman Wilson added that if Mr. Key was told to be present, he should be present.

Commissioner Lewis withdrew the motion. Commissioner Fanion withdrew the second.

Commissioner Lewis moved to postpone action until the July meeting and have Mr. Key appear, seconded by Commissioner Rhoades.

Director Williams said he spoke to Mr. Key a couple of weeks ago and has not heard from him since that time. General Cherry asked if this means that Mr. Key will not be able to attend class beginning in July or allow him to go to orientation and pull him if it is disapproved. Director Williams remarked that he is thinking about pulling Mr. Key from enrolling because he was told to be present and has not communicated with him.

The motion to postpone carried.

Cleveland State Community College – Williams, Fredrick –  
Requesting a waiver for a guilty plea to Theft of Property of a company credit card. He indicates that he reported that he lost the card to his supervisor who did not then report it to the company. Someone found the card and charged over \$1000 worth of gas on it and the company held him responsible. He agreed to pay the \$1000 restitution through probation. Requesting a waiver so that he may attend CSCC.

Director Dwight Williams was present along with Mr. Fredrick Williams seeking the waiver. Mr. Williams explained the circumstances concerning losing the company gas card and took responsibility even though he reported the lost card to his supervisor. Gen. Cherry asked Mr. Williams if he was represented by legal counsel at the time. Mr. Williams answered he did not have legal counsel when he went before the judge. The incident occurred approximately ten years ago. Mr. Williams said he was initially charged with a felony but ultimately plead to a misdemeanor with restitution and probation for 11/29.

Director Williams explained that he has the paperwork that Mr. Williams turned in to the academy when he applied for admission but the disposition of the case was not included. Mr. Grisham remarked that he has a

certified copy of the data base entry which indicates a guilty plea on August 30, 2006 with 11/29 suspended sentence with costs and restitution of \$1,000. Commissioner Wallace asked if the company Mr. Williams worked for charged him with theft after he reported the card was lost. Mr. Williams answered affirmatively. Gen. Cherry asked Mr. Williams if he was let go after the incident. Mr. Williams answered he was let go. Commissioner Jenkins asked Mr. Williams if a lawyer was not appointed to represent him in court. Mr. Williams said he was not appointed a lawyer and that he talked with the district attorney.

Commissioner Long moved, pursuant to Section 1110-02-.03(1)(d) that the certification requirements for a law enforcement officer say "not have been convicted or plead guilty to or entered a plea of nolo contendere to any felony charge or to any violation of either federal or state laws or city ordinances relating to force, violence, theft, dishonesty...." not to approve the waiver request. Commissioner Lax seconded.

Under discussion, Gen. Cherry said he believes there is a waivable provision for this offense as it is a misdemeanor. Mr. Grisham commented that a felony can be waived if the criteria are met. Mr. Underwood directed the commission to Rule 1110-09-.04(1)(b) Waiver of Preemployment Requirements that would allow this to be waived within the discretion of the commission.

Gen. Cherry said the case disturbs him because if Mr. Williams did not have a lawyer, he could see that Mr. Williams could walk in and be scared and worried and not make the right decision. He said depending on the circumstances as Mr. Williams describes them, Mr. Williams should have never been charged but that the Commission has only one side of the story. Gen. Cherry added that apparently Mr. Williams did not have a lawyer to talk to and get representation and sounds as though the company was out to get their money back and find somebody to blame. General Cherry remarked that he feels bad that somebody can be railroaded by the system and would like to say that it never happens but that he has been working with the system long enough to know better and sometimes there are flaws in the system.

Commissioner Fanion asked Mr. Williams if the supervisor acknowledged that Mr. Williams had reported the card lost. Mr. Williams answered that the supervisor did not.

Mr. Grisham asked Mr. Williams who charged him and if he was written a citation. Mr. Williams answered a police officer charged him and wrote a citation and that he had to go and turn himself in and be booked. Mr. Grisham said that the data base does indicate that the Chattanooga PD was the prosecutor. Mr. Grisham said that it is clear that Mr. Williams plead guilty to a misdemeanor and asked Mr. Williams how he interacted with the Chattanooga PD and if they questioned him. Mr. Williams responded that the police department came to his door and asked him to come down and talk to them at the service center. They asked him questions to which he said he told them the same thing he has told the POST Commission. Mr. Williams said he was never advised to get an attorney.

Commissioner Long asked Mr. Williams if he knows what the card was used for to use \$1,000. Mr. Williams said he never knew what was purchased or even if it was \$1,000 that was used as he never saw a statement of any kind.

Commissioner Long withdrew the motion. Commissioner Lax withdrew his second.

Commissioner Wallace moved to postpone action until POST can get additional information from the Chattanooga PD about the matter, seconded by Commissioner Williamson.

Commissioner Fanion asked Director Williams if Mr. Williams is currently enrolled in class. Director Williams responded that July 14<sup>th</sup> is orientation. Commissioner Fanion asked if it is possible to allow Mr. Fredrick Williams to enroll and attend orientation and if anything is found contrary to what the commission has been told, Mr. Williams will not be allowed to enter the academy. Mr. Underwood suggested an amendment to the motion to include also Chattanooga-Hamilton County court documents be submitted.

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Commissioner Wallace agreed to amend the motion and to leave it to the staff's discretion as to whether Mr. Williams needs to reappear before the commission upon receiving the requested information.

Commissioner Lewis asked Mr. Williams if he has been in any trouble since 2006 when this incident occurred. Mr. Williams affirmed he has not had any other incidences.

Mr. Underwood clarified Commissioner Wallace's initial motion to postpone action and is saying now to amend and say that the waiver be granted conditionally upon subsequent information being provided. Commissioner Rhoades asked if Mr. Williams goes to orientation and then the request is denied and will not attend the school, will he get his money back that he paid for the school. Director Williams said he will let Mr. Williams wait until after a decision is made before Mr. Williams has to pay. Classes begin July 20<sup>th</sup> and the next basic will be in October. Mr. Grisham suggested that Mr. Williams be allowed to attend orientation and POST will have an answer before he starts class on the 20<sup>th</sup>. Mr. Grisham asked if they could attend the meeting in July. Director Williams and Mr. Williams said they would be present.

Commissioner Wallace restated the motion to say POST will postpone a decision until July and let the POST investigators look into the matter and come back with more information. Commissioner Williamson again seconded.

Commissioner Lewis asked if there would be any need for them to reappear if the investigators find everything is in order. Commissioner Lax added that it would be interesting to see the file from Chattanooga PD and seeing where things were charged and the amounts. Mr. Grisham said the commission can grant the investigators and Mr. Farris the discretion to make the call as to whether Mr. Williams needs to reappear at the next meeting.

The motion carried.

Fayetteville PD – Jones, Jonathan William –

Requesting a waiver for an arrest for Public Intoxication so he may attend TLETA. He was arrested on 12-4-2009 in Giles County and served a 30 day unsupervised probation and paid court costs. He became full time with the department on 6-19-2015. Requesting a waiver so that upon successful completion of Basic Training, he may be issued POST Certification.

Mr. Jones was present and explained this occurred on his 21<sup>st</sup> birthday. He and friends went out and celebrated. When they walked out of the bar, the police were there and stopped them as they were on the way to their vehicle. They were given the breathalyzer and blew over the limit.

Commissioner Jenkins moved to approve, seconded by Commissioner Lewis. The motion carried.

Vanderbilt University PD – Musick, Joseph Allen

Requesting a waiver for a citation for Underage Consumption of Alcohol in the City of Edwardsville, Illinois, which he received on 12-16-2004. He appeared on 12-17-2004 and paid the fine that was established by the citation fee scale of \$100.00. He became full time with the department on 5-10-2015 and requesting a waiver so he may attend TLETA and upon successful completion of basic be issued POST Certification.

Mr. Musick was present requesting the waiver. He explained he was leaving a party with friends. They had not changed the tires on the vehicle from winter to summer tires. While turning a corner, the tires squealed and they were pulled over. He told the officer he had not been drinking but failed the test. He explained he was young and immature and trying to get out of the situation. Mr. Musick explained that this did not show up on his background check but he revealed the information to the department. Mr. Musick said he was twenty years old when this incident occurred.

Commissioner Jenkins moved to approve, seconded by Commissioner Rhoades. The motion carried.

**WAIVER OF BASIC TRAINING – 1110-02-.03 + 1110-9-.02**

The following requests for Waiver/Substitution of Basic Training have been reviewed and appear to meet POST requirements:

1. Elizabethton PD – Holland, James Clayton - Request is made to allow Officer Holland to attend the September 27, 2015 Transition School. He completed basic at the Federal Law Enforcement Training Center graduating on 2-12-2002 and was employed by US. T.V.A. from 10-2001 to 05-2012. He became full time with the department on 04-01-2015. Request that he be allowed to attend the transition school and to become certified in TN.

Also requesting that he be allowed to work alone after completion of the FTO training (consisting of 553 hours with 3 different certified officers) which will conclude prior to the Transition School.

Request waiver of the six month rule as well. Upon successful completion request he be issued POST Certification.

Commissioner Lewis moved to approve the waiver to include attending Transition School, working alone after completion of FTO training counseling, and the six-month rule, seconded by Commissioner Baker. The motion carried.

2. Bradford PD – Cason, III William Arthur – Request is made for a waiver of the POST Transition School for Officer Cason. He attended TLETA graduating in 1991 and was employed with the Carroll County SO, Hollow Rock PD, Weakley County SO and Gleason PD where he resigned on 02-27-2010 to pursue a career with the Department of State as a civilian training officer in Afghanistan and Iraq. He became full time with the Bradford PD on 05-04-2015, just a little over two months and 5 days over the five-year rule. Request is for a waiver to recertify without the Transition School.

Commissioner Rhoades moved to deny the waiver request, seconded by Commissioner Williamson. The motion carried.

3. Red Bank PD – Erlinger, II, Bruce Albert – Request is made for a waiver of Basic Training and to allow Officer Erlinger to attend the POST Transition School in September, 2015. He attended basic at the Alabama Police Academy in Selma, Alabama graduating on 04-16-2014 with a total of 520 hours. He was employed as a full time officer with Gulf Shores, Al. PD from 10-13-2013 to 12-25-2014, and he served with the Security Forces as a military police from 01-16-2007 to 04-16-2014. He became full time with Red Bank on 05-13-2015 and the request is to allow him to attend the Transition School to become certified in Tennessee.

NOTE: He only completed 27hours of Driving in Basic.

Mr. Erlinger was present requesting the waiver.

Mr. Grisham said that Mr. Erlinger will not get the driving in Transition School but that a week of driving can be arranged after.

Commissioner Williamson moved to approve with the stipulation that Mr. Erlinger complete the driving course. Commissioner Rhoades seconded. The motion carried.

4. Coffee County SO – Greene, Shaun Gordon – Request is made for a waiver of Basic Training and to allow Deputy Greene to attend the POST Transition School in September, 2015. He attended TLETA graduating on 02-2003 while previously employed with the Coffee County SO from 04-2000 to 09-2002. He was also employed with the Murfreesboro PD from 09-2002 to 11-2009. He became full time with the

department on 04-27-2015 and has completed in-service each year. Request to attend the POST Transition School.

Commissioner Jenkins asked how Mr. Greene attended in-service every year without a department representing him. Mr. Welch answered that if a person is a certified officer and even though not working full-time, that person can go to the local police department and ask to attend their in-service. Commissioner Jenkins responded that Mr. Greene should be on some department's list that he attended their in-service and asked if POST has the department's records to substantiate Mr. Greene's claim that he attended in-service. Mr. Farris replied that if Mr. Greene was part-time or reserve during that time, POST would not have those records currently but are working toward that goal. Commissioner Baker commented that even if POST does not have records of the in-service, Mr. Greene still qualifies for transition school. Commissioner Jenkins said that his concern is the in-service and that the Mr. Greene does not say what the in-service consisted of but since Mr. Greene will be attending transition school, it does not matter.

Commissioner Baker moved to approve, seconded by Commissioner Lewis. The motion carried.

5. Gatlinburg PD – Burns, Jerry Dewayne - Request is made for a waiver of Basic Training and to allow Officer Burns to attend the POST Transition School in September, 2015. He attended the Department of Criminal Justice Training (DOCJT) in Kentucky, graduating on 11-16-2012 with a total of 768 hours. He was employed with the Perry County SO, in Kentucky from 2011 to 2015. He became full time with the department on 05-15-2015. Request to attend the POST Transition School and to become certified in TN.

Commissioner Lewis moved to approve, seconded by Commissioner Baker, which motion carried.

6. Houston County SO – Medina, Jr., Fidencio –Request is made to issue Deputy Medina a current POST Certification. He attended basic at TLETA graduating on 03-13-1981, while employed with THP from 01-01-1981 to 03-31-2015. He became full time with the department on 04-06-2015 and request to issue a current POST Certificate.

Commissioner Baker moved to approve, seconded by Commissioner Lewis. The motion carried.

#### **SPECIALIZED SUBSTITUTIONS FOR IN-SERVICE TRAINING – 1110-4-.09**

The following items, numbers 1 through 19 requests for approval of Specialized Training Substitution, have been reviewed and appear to meet the guidelines set forth in POST Rule 1110-04-9. T.C.A. mandated Child Sexual Abuse, EVOC, Mental Illness and Firearms qualifications must be completed and documented to complete requirements for In-service training, if not included in the curriculum of these courses.

1. Bartlett PD - Request approval of Specialized Training Substitution for the following Officers:
  - Laura K. Thompson – “Basic Narcotics Investigations” – RCTA – Meridian, MS – April 27 – May 1, 2015 – 40 Hrs.
2. Chattanooga PD - Request approval of Specialized Training Substitution for the following Officers: 2014 Training
  - Jerri A. Sutton – “FBI National Academy” U.S. Dept. of Justice – Quantico, VA – April 6 – June 13, 2014 – 400 Hrs.
  - Geison D. Silveira – “Clandestine Laboratory Safety Certification” – RCTA – Meridian, MS – March 24-28, 2014 – 40 Hrs.

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Kenneth F. Burnette, Jr., William L. Salyers, Jerry L. McElroy, & Joseph B. Montijo – “Evidence Collection Course” – Sirchie – Youngville, NC – Dates: February 10-14<sup>th</sup>, & April 7-11, 2014 – 40 Hrs.

3. Clarksville PD - Request approval of Specialized Training Substitution for the following Officers:

Tyler C. Barrett – “31<sup>st</sup> International Symposium on Child Abuse” – National Children’s Advocacy Center – Huntsville, AL – March 24-26, 2015 – 24 Hrs.

4. Germantown PD - Request approval of Specialized Training Substitution for the following Officers:

Carole A. Blankenship – Navigator Conference – EMD 2015” – International Academies of Emergency Dispatch – Las Vegas, NV – April 29 – May 1, 2015 – 24 Hrs.

Eric S. Burrage – “Task Force Officer School” – Drug Enforcement Administration – Atlanta, GA – June 1-5, 2015 – 40 Hrs.

Aaron C. Dickey – “Police Long-Range Rifle Training at the 2015 NASC” – MS Tactical Officers Association – Southern PD, MS – March 16-19, 2015 – 32 Hrs.

John J. Durfee – “NFPA1033 and Your Career” – CFITrainer.Net – April 21, 2015 – 2 Hrs.

Nicholas A. Louis – “Follow the Money” – RCTA – Meridian, MS – April 14-16, 2015 – 8 Hrs.

5. Greeneville PD - Request approval of Specialized Training Substitution for the following Officers:

Jeffrey L. Sowers – “Taser Instructor” – Taser International” – Wheeling, IL – April 24-25, 2015 – 16 Hrs. Also: “Glock Armorers Course” – Glock Professional – Wheeling, IL – April 23, 2015 – 8 Hrs.

6. Hardin Co. SO - Request approval of Specialized Training Substitution for the following Officers:

Thomas L. Hammock & Charles L. White – “High Risk Warrant Planning & Execution” – RCTA – Meridian, MS – May 18-22, 2015 – 40 Hrs.

7. Hawkins Co. SO - Request approval of Specialized Training Substitution for the following Officers:

Zachary D. England, Wesley M. Seals, & Samuel W. Wilhoit – “Patrol Officers Response to Street Drugs” – RCTA – Meridian, MS – April 13-17, 2015 – 40 Hrs.

8. Hendersonville PD - Request approval of Specialized Training Substitution for the following Officers:

Neal J. Harris – “31<sup>st</sup> International Symposium on Child Abuse” – National Children’s Advocacy Center – Huntsville, AL – March 24-26, 2015 – 24 Hrs.

9. Humboldt PD - Request approval of Specialized Training Substitution for the following Officers:

Tony M. Williams – Post Blast Investigations Training Course” – A.T.F. – Huntsville, AL – April 20-24, 2015 – 40 Hrs.

10. Jackson PD - Request approval of Specialized Training Substitution for the following Officers:

Rodney J. Anderson – “IP Video – Level 2” – National Technical Investigator’s Association – Denver, CO

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– May 11-15, 2015 – 40 Hrs.

William T. Maxwell – “Prevention of & Response to Suicide Bombing Incidents” – Socorro, NM – January 12-16, 2015 – 36.5 Hrs.

Richard Newbill – “Advanced Tactical Training” – U.S. Marshal’s Service – Pineville, LA – May 4-8, 2015 – 32 Hrs.

11. Madison Co. SO - Request approval of Specialized Training Substitution for the following Officers:

David L. Travis – “Operational Skills for L.E.” – RCTA – Meridian, MS – May 11-15, 2015 – 44 Hrs.

12. Murfreesboro PD - Request approval of Specialized Training Substitution for the following Officers:

Angela M. Alexander – “Bloodhound L.E. Man-Trailing Classroom & Field Instruction” - National Police Bloodhound Association – McHenry, MD – May 9-14, 2015 – 40 Hrs.

Kristy English & Tannas Knox – “2015 Child Abuse & Family Violence Summit” – Clackamas Co. SO – Portland, OR – April 21-24, 2015 – 22.5 Hrs.

Phillip W. Loyd – “Recovery of Evidence from CCTV Video Recordings” – Dept. of Homeland Security – Glynco, GA – April 27 – May 1, 2015 – 40 Hrs.

Tyler A. Smith – “Basic Computer Evidence Recovery Training” –National Computer Forensics Institute – Hoover, AL – April 20 – May 22, 2015 – 192 Hrs.

Kerry V. Thorpe – “2015 LeadsOnline Leadership Conference” – Leads OnLine – Indianapolis, IN - May 26-28, 2015 – 16 Hrs.

Michael D. Yates – “Crime Scene Investigation Course” CSI Academy of Florida – Alachua, FL – May 4-8, 2015 – 40 Hrs.

13. Obion Co. SO - Request approval of Specialized Training Substitution for the following Officers: 2014 Training

Matthew L. Woods – “Less Lethal Instructor” – CTS Training Institute – Tarrant PD, Birmingham, AL – December 1-4, 2014

14. Savannah PD - Request approval of Specialized Training Substitution for the following Officers:

Wesley Murphy – “Unarmed Self Defense Train the Trainer Course” – RCTA – Meridian, MS – May 4-8, 2015 – 40 Hrs.

15. Selmer PD - Request approval of Specialized Training Substitution for the following Officers:

Robert L. Heathcock IV & Jeremy M. Rickman – “Emergency Narcotics Operations” – RCTA – Meridian, MS – April 27 – May 1, 2015 – 48 Hrs.

Kimball L. Holley & Teddy J. Roberts – “Commercial Vehicle Interdiction” – RCTA – Meridian, MS – May 5-7, 2015 – 24 Hrs.

16. Trenton PD - Request approval of Specialized Training Substitution for the following Officers:

Micah S. Pierce – “Follow the Money” – RCTA – Meridian, MS – May 19-21, 2015 – 24 Hrs.

17. Tusculum PD - Request approval of Specialized Training Substitution for the following Officers: 2014 Training

Danny R. Greene & Dustin M. Jeffers – “2014 Clandestine Laboratory Investigation/Safety Certification” – Drug Enforcement Administration – Quantico, VA – October 20-24, 2014 – 40 Hrs.

18. Memphis Airport PD - Request approval of Specialized Training Substitution for the following Officers:

Jerry E. Brandon – “Aviation L.E. Training” – ALEAN – Arlington, VA – April 20-22, 2015 – 11 Hrs.

19. 21<sup>st</sup> D.T.F. - Request approval of Specialized Training Substitution for the following Officers:

Kelly S. Owens – “Basic Narcotics Investigations” – RCTA – Meridian, MS – April 27 – May 1, 2015 – 40 Hrs.

Commissioner Rhoades moved to approve Items 1-19, seconded by Commissioner Lewis. The motion carried.

#### **APPLICATIONS FOR TRAINING OFFICER – 1110-04-.03**

The following items, Number 1 through 4, applications for Training Officer, have been reviewed by POST Investigators and appear to meet criteria for approval. The officers will be informed that they must complete and Instructor Development course within the next 12 months.

1. Jackson PD – Siler, Richard Michael - Request Captain Siler to become the training officer for the department. He has 27 years in law enforcement and has completed the required Instructor Development.

2. Spring Hill PD – Lovett, Jason Lee - Request Investigator Lovett to become the training officer for the department. He has 15 years in law enforcement and has completed the required Instructor Development.

\*3. Tellico Plains PD – Wilburn, John Russell - Request Chief Wilburn to become the training officer for the department. He has 12 years in law enforcement. He is scheduled to attend Instructor Development in September, 2015.

4. 10<sup>th</sup> Judicial District Drug Task Force – Bales, Matthew Edward - Request Lt. Bales to become the training officer for the department. He has 11 years in law enforcement and has completed the required Instructor Development.

Commissioner Lewis moved for approval of Items 1-4, seconded by Commissioner Baker. The motion carried.

**APPLICATIONS FOR CERTIFIED INSTRUCTOR – 1110-03-.04**

The following items Number 1 through 15, have been reviewed by POST Investigators, and appear to be in order and meet minimum standards:

1. Adamsville PD – Vandiver, Daniel William - Request Officer Vandiver to become Specialized Instructor in the following area[s]:

Taser

Officer Vandiver has been with the department since 2000 and has a total of 5 years of law enforcement experience, and has completed the required course as well as Instructor Development.

2. Belle Meade PD – Murphy, Teddy Thomas - Request Sergeant Murphy to become Specialized Instructor in the following area[s]:

Patrol Rifle

Sgt. Murphy has been with the department since 2006 and has a total of 19 years of law enforcement experience, and has completed the required course as well as Instructor Development.

3. Cocke County SO – Holt, Ricky - Request Lieutenant Holt to become Specialized Instructor in the following area[s]:

Patrol Rifle Instructor

Lt. Holt has been with the department since 1997 and has a total of 18 years of law enforcement experience, and has completed the required course as well as Instructor Development.

4. Dyer PD – Webb, Richard Stephen - Request Officer Webb to become Specialized Instructor in the following area[s]:

Firearms  
EVOG

Officer Webb has 18 years of law enforcement experience and has completed the required course as well as Instructor Development.

5. Johnson City PD – Clevinger, Garry A. - Request GDI Clevinger to become Specialized Instructor in the following area[s]:

SWAT Instructor

GDI Clevinger has been with the department since 1997 and has completed the required course as well as Instructor Development.

6. Livingston PD – Storie, Jonathan B. - Request Sgt. Storie to become Specialized Instructor in the following area[s]:

Defensive Driving

Sgt. Storie has been with the department since 2001 and has completed the required course as well as Instructor Development.

- \*7. Metro Nashville PD – Evans, Matthew Robert - Request Instructor Evans to become a General Instructor for the Training Academy. He has 8 years of experience. Request to accept his 80 hour Army Basic Instructor Course he completed on 3-8-2012 as the required Instructor Development.

- \*8. Metro Nashville PD – Kolodziejski, Kristina Marie - Request Instructor Kolodziejski to become a General Instructor for the Training Academy. She has 6 years of experience. Request to accept Speech she completed as the required Instructor Development.

9. Metro Nashville PD – Whited, Blaine Keith - Request Sgt. Whited to become a General Instructor for the Training Academy. He has 12 years of experience, and has completed the required Instructor Development.

10. Obion County SO – Woods, Matthew Lee - Request Sgt. Woods to become Specialized Instructor in the following area[s]:

Less Lethal Impact Munitions  
Chemical Aerosol

Sgt. Woods has been with the department since 1999 and has completed the required course as well as Instructor Development.

11. Sequatchie County SO – Howard, Paul Wayne - Request Detective Howard to become the General Departmental Instructor for the department. He has 8 years of experience and has completed the required Instructor Development. He has been in the position since July 2014.

- \*12. TN Dept. of Safety and Homeland Security – Legal Division – Rice, Patrick Lee - Request Mr. Rice, Attorney with Homeland Security to become Specialized Instructor in the following area[s]:

TN Civil Asset Seizure and Forfeiture  
Criminal Law

Mr. Rice has been with the department since 2014 and has completed the required course as well as Instructor Development. He was formerly Military Police, and also was an officer with Smyrna PD for 3 year.(Non- Law Enforcement).

- \*13. TN Dept. of Safety and Homeland Security – Legal Division – Harris, Nina F. – Request Ms. Harris Attorney with Homeland Security to become Specialized Instructor in the following area(s):

TN Civil Asset Seizure and Forfeiture  
Criminal Law

Ms. Harris has been with the department since 2007 and has completed the required course. In lieu of Instructor Development her educational background includes a B.A. in Political Science and a B.S. in History. She has attended Paralegal Training and graduated from Loyola New Orleans School of Law, and has practiced in TN since 2004.

14. TN Alcoholic Beverage Commission – Gammel, William Allan - Request Special Agent Gammel to become Specialized Instructor in the following area[s]:

Firearms

Special Agent Gammel has been with the department since 2005 and has completed the required course as well as Instructor Development.

15. TN Alcoholic Beverage Commission – Hooper, Mark Fitzgerald - Request Special Agent Hooper to become Specialized Instructor in the following area[s]:

Firearms

Special Agent Hooper has been in law enforcement since 1991 and has completed the required course as well as Instructor Development.

Commissioner Lewis moved to approve Items 1-15, including Nos. 7, 8, 12 and 13, seconded by Commissioners Rhoades. The motion carried.

#### **CURRICULUM AND TESTS – 1110-04**

The following Items 1 through 23 have been reviewed by POST Investigators and appear to be in order and meet or exceed minimum standards for POST requirements:

1. Blount County SO –Basic Law Enforcement Academy, 2015-012 - 439 hours.  
June 22 – Sept. 3, 2015  
Graduation Sept. 4, 2015
2. Bradley County SO – Reserve In-service, 80 hours. CSA/EVOC/MI/FA.  
In-service – March 3 – April 9, 2015  
May 4-5, 2015  
Range - May 18-22, 2015  
Test Makeup Date – Dec. 4, 2015
3. Bradley County SO – In-service, 40 hours, CSA/EVOC/MI/FA.  
In-service – March 3-April 9, 2015  
Range – May 18-22, 2015  
Test Makeup Date – Dec. 4, 2015  
2015 Training year

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4. Bradley County SO – School Resource Officer In-service, CSA/EVOC/MI/FA.  
In-service – July 30-Aug. 5, 2015  
Range – Aug. 6, 2015  
Test Makeup Date - December 4, 2015
5. Brighton PD – Firearms, 8 hours.  
July 15, 2015  
2015 Training year
6. Campbell County SO - 40 hours, CSA/EVOC/MI/FA.  
June 8-12, 2015  
2015 Training year
7. Chattanooga PD –Academy Class 2015-1 - 400 hours.  
April 17 – September 17, 2015
8. Cocks County SO – 2015 General In-service -46 hours/CSA/EVOC/MI/FA.  
July 20-24, 2015  
2015 Training Year
9. Columbia PD – Firearms , 16 hours.  
April 20 – May 19, 2015  
2015 Training year
9. Dresden PD – Firearms, 8 hours.  
2015 Training Year
10. Fentress County SO – In-service,40 hours, CSA/EVOC/MI/FA.  
June 1 – June 5, 2015  
2015 Training Year
11. Greene County SO - 40 hours. CSA/EVOC/MI/FA.  
2015 Training year
12. Hamilton County SO – In-service (Supervisor) - 40 hours,CSA/EVOC/MI/FA.  
2015 Training Year
13. Henderson County SO – Firearms, 8 hours.  
2015 Training Year
14. Madison County SO – Reserve Officer Training, CSA/EVOC/MI/FA. 100 hours  
April 14 – June 18, 2015 (Tuesday, Thursday, every other Sat.)  
Graduation on June 27, 2015
15. Manchester PD – Previously approved training (#15-424) –Add Intellectual and Developmental Disabilities, 4 hours.  
2015 Training Year
16. Meigs County SO and Decatur PD – Firearms, 8 hours.  
2015 Training Year
17. Morristown PD – Reserve Officer In-service, 44 hours, CSA/EVOC/MI/FA.

2015 Training Year

18. Rhea County SO – 16 hours, CSA/EVOC/MI/FA.  
June 18 & 19, 2015  
2015 Training Year
19. Rutherford County SO – 32 hours SRO Basic In-service, CSA/EVOC/MI/FA.  
2015 Training Year
20. Rutherford County SO – Firearms Training Course, 12 hours  
2015 Training Year
21. Scott County SO - 40 hours In-service, CSA/EVOC/MI/FA.  
2015 Training Year
22. Sequatchie County SO – Intellectual and Development Disabilities, 2 hours  
2015 Training year
23. Smith County SO – In-service, 40 hours, CSA/EVOC/MI/FA.  
May 18-22, 2015  
Aug. 17-21, 2015  
Oct. 5-9, 2015

Commissioner Lewis moved to approve Items 1-23, seconded by Commissioner Baker. The motion carried.

**SPECIALIZED TRAINING CURRICULUM – 1110-04-.09**

The following Items 1 through 44, have been reviewed by POST Investigators and appear to be in order and meet minimum standards for Specialized Training Substitution. Child Sexual Abuse, EVOC, Mental Illness and Firearms must be completed and documented to complete requirements for In-service training. Those specialized schools including Child Sexual Abuse training will be designated as they are approved for POST information.

1. A Bridge of Hope – Human Sex Trafficking, 8 hours, various departments and dates.  
2015 Training Year
2. Blount County SO – 24 hour, Child Physical and Sexual Abuse/Child Death Investigation Course.  
July 22- 24, 2015
3. Community Coalition Against Human Trafficking- Human Trafficking Summit, 10 hours.  
July 15 & 16, 2015
4. Franklin County SO – Police Motorcycle Certifications – 80 hours.  
June 22 – July 15, 2015
5. Germantown PD – Use of Force: Application and Legal Analysis Course, 32 hours.  
Oct. 6-9, 2015

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6. Governor's Highway Safety Office –Approval for the following:  
Child Passenger Safety Certification Course – 24 hours  
Child Passenger Safety Training – 32 hours  
Child Passenger Safety Renewal Training – 8 hours  
CEU Training – 6 hours  
2015 Training Year  
  
NHTSA/IACP Drug Recognition Expert Pre/Main School  
Class #13  
Shelby County SO  
May 4-8, 2015 & May 11-14, 2015
7. Hamilton County SO –Patrol Rifle Course , 24 hours  
March – September, 2015
8. Hamilton County SO – Law Enforcement Instructor Development, 40 hours  
July 6-10, 2015
9. Hancock County SO –Basic Report Writing, 2 hours  
June 16, 2015
10. Hendersonville PD – Police Motorcycle Training, 40 hours  
Aug. 4-8, 2015
11. Johnson City PD – Firearms Instructor Course, 40 hours.  
June 1 – 4, 2015
12. Madison County SO – Crisis Intervention Training Class, 40 hours  
March 23-27, 2015
13. Madison County SO – Introduction to Interviews and Interrogations – 1 hour  
June, 2015
14. Madison County SO – Basic Level 1 Active Shooter Response Training, 16 hours.  
March 9-10, 2015
15. Murfreesboro PD – Strategic Self-Defense and Grapping Techniques – Level 2, 40 hours.  
July 27-31, 2015
16. Murfreesboro PD – Basic SWAT School – Level 1, 50 hours  
July 20- 24, 2015
17. Murfreesboro PD – Ultimate Ethics Training, 8 hours  
Aug. 12 and September 11, 2015
18. Murfreesboro PD – Successful Performance Evaluations Course (#15-577).  
Reschedule - Sept. 22-24, 2015
19. Rhea County SO – Radar/Lidar Course, 8 hours.  
June 25, 2015  
2015 Training Year

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20. ROCIC – Criminal Interview & Interrogation Techniques, Nashville, 24 hours.  
April 28-30, 2015
21. ROCIC – Special Operations Supervisor’s Training, Nashville, 36 hours.  
May 4-8, 2015
22. ROCIC – 1<sup>st</sup> Annual LETA Investigations Conference – Gatlinburg, TN.  
24 hours.  
June 29-July 1, 2015
23. Rutherford County SO – Criminal Investigation Training Course, 40 hours, CSA/EVOC/MI/FA.  
2015 Training Year
24. Shelby County SO – Victory Mindset, 8 hours.  
March 24, 2015
25. Shelby County SO – Leadership Under Fire – 8 hours  
March 25, 26, 27, 2015
26. Shelby County SO – Simunitions, 8 hours  
April 7 & 14, 2015
27. Shelby County SO – Homemade Explosives: Awareness, Recognition and Response, 8 hours.  
May 15, 2015
28. Shelby County SO – School Resource Officers Training, 40 hours  
Including 16 hours “Active Shooter School Specific”  
May 25-29, 2015  
June 1-5, 2015
29. Sullivan County SO – Courthouse/Courtroom Security Class, 36 hours.  
CSA/EVOC/MI.  
Sept. 14-18, 2015
30. TACP – May TACP Meeting – May 27 – 29, 2015. Nashville, TN.  
10 hours.
31. State of TN – Children’s Services – Dept. of Children’s Services (DHS) will host a five day Child Protective Services (CPS) Investigator POST Academy. 40 hours. Six academies to be approved for the calendar years 2014, 2015, 2016.  
Academy Group 1 - Oct. 6-10, 2014  
  
Academy Group 2 – Jan. 26, Feb. 3, 9, 10, & March 26, 2015  
Academy Group 3 – March 16, 24 30, April 9 & 10, 2015  
Academy Group 4 – April 27, May 5, 13 ,20, & 21, 2015  
Academy Group 5 – July 13, 14, 15, 16 17, 2015  
Academy Group 6 – Oct. 26, Nov. 3, 12, 19, 20, 2015  
Academy Group 7 – Nov. 30, Dec. 1, 2, 3, 4, 2015  
Academy Group 8 – Feb. 1, 2, 3, 4, 5, 2016  
Academy Group 9 – March 21, 29, April 6, 14, 15, 2016  
Academy Group 10 – July 11, 19, 27, Aug. 4, 5, 2016  
Academy Group 11 – Aug. 29, 30, 31, Sept. 1, 2, 2016  
Academy Group 12 – Oct. 3, 11, 19, 27, 28, 2016

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Academy Group 13 – Dec. 5, 6, 7, 8, 9, 2016

32. State of TN – Chief Medical Examiner’s Office – Office of the Medical Examiner to sponsor the University of North Dakota Death Investigation On-line Training.  
29.5 hours  
2015 Training Year
33. TN Dept. of Safety and Homeland Security – Civil Seizure and Forfeiture Law and Procedures, 3 hours. (Instructed at Law Enforcement departments throughout the state during In-service.  
2015 Training Year.
34. TN POST Commission – 2015 Domestic Violence and Sexual Assault Investigations School. 40 hours  
May 11-15, 2015
35. TLETA – IDD and Community Policing/DIDD Investigation Lesson Plan, Provided by the Dept. of Intellectual and Development Disabilities. DIDD to provide Train the Trainer Instruction and Lesson plans for TLETOA, TACP, and TSA for dissemination to all TN Law Enforcement agencies. 2 hours  
2015 Training year
36. TN Suicide Prevention Network –Suicide Prevention Symposium, Trevecca Community Church, Nashville, TN. 4.5 hours  
July 28-29, 2015
37. University of TN at Chattanooga – The Senator Tommy Burks Victim Assistance Academy, 40 hours.  
June 7-12, 2015
38. University of TN – Law Enforcement Innovation Center – Southeastern Command and Leadership Academy (SELA),(Southeastern Leadership Academy), 200 hours. Program provides 9 hours of undergraduate college credit or 6 hours of graduate level college credit from UT Chattanooga.  
July 20-24, 2015 – Chattanooga  
July 27-31, 2015 – Chattanooga  
Sept. 21-25, 2015 – Chattanooga  
Oct. 19 – 23, 2015 – Chattanooga  
Nov. 9-13, 2015 – Chattanooga
39. University of TN – Law Enforcement Innovation Center – Crime Scene Management, 40 hours.  
Sullivan County = June 15-19, 2015
40. University of TN – Law Enforcement Innovation Center – SRO Basic Training, 40 hours.  
McMinnville, TN – June 1-5, 2015

41. UT Martin - Institute of Professional Development – The following course will be instructed at the Memphis PD Training Academy.

Working the Case for Trial – 8 hours  
Sept. 2, 2015

Ramifications of Police Using Social Media – 8 hours  
Sept. 9, 2015

Instructor Development: Police Instructor Qualification Course – 40 hours  
Sept. 28 – Oct. 2, 2015

Courtroom Testimony & Drafting Search Warrants – 8 hours  
Oct. 5, 2015

Ethical Character Driven Leadership – 16 hours  
Oct. 19-20, 2015

Interview & Interrogation Techniques – 32 hours  
Oct. 26-29, 2015

The New Millennial Police – Managing Generational Issues – 16 hours  
Nov. 4-5, 2015

Frontline Counter Terrorism – 24 hours  
Nov. 11-13, 2015

Constitutional Law For Street Officers – 16 hours  
Nov. 16-17 2015

42. Vanderbilt University PD – 2015 International Association of Campus Law Enforcement Administrators Annual Conference – 15.5 hours  
June 29 – July 2, 2015

43. Warren County SO – DIDD Course, 2 hours.  
2015 Training Year

44. White County SO – Basic Operator for the Radar/Lidar Speed Detection Systems.  
8 hours, April 13, 2015.

Commissioner Lewis moved to approve Items 1-44, seconded by Commissioner Baker, which motion carried.

**Chairman Wilson recognized Mr. Farris for old business.**

**Mr. Farris updated the Commission on LEOSA in that POST currently has LEOSA updated in the Acadis system so the program can be managed within the system. There are 518 users currently, which is huge for POST to manage. Mr. Farris noted a recommendation was made previously to the Commission concerning implementing a new fee structure for LEOSA. LEOSA is labor intensive and POST is paying to use space on the service for the program. Mr. Farris said there is currently a flat fee of \$10. The handgun carry permit is \$115 for the initial permit and a 50 dollar renewal for a four-year renewal of the handgun carry permit. Mr. Farris said he is recommending a fee of \$25 and feels that is fair, even though it will not recoup the cost of processing and mailing. In Tennessee only, the applicant can get the permit for four years**

or annually nation-wide. Mr. Grisham explained that this is a separate fee from the background check that the applicant pays for separately.

Mr. Underwood explained that this will require a rule change under the POST rules as the fee is set at \$10.

Commissioner Williamson moved to raise the LEOSA fee to \$25.

Senator Bell noted that the fee is currently \$10 and POST is losing money. Mr. Farris remarked that they will be losing money also at \$25. Senator Bell asked what the fee would be if they were not losing money. Mr. Farris explained that some of the applications take longer to process and he or the investigators have to call for additional information. He said POST wants to be very careful that they do not issue a permit to someone who has been convicted of a felony or another problem. He said if applications come back with a big background, there is more research involved and courthouses have to be called to follow up on it. It is rare but it does happen and they usually get in one or two a week that takes more time. Mr. Farris said with the time and the paperwork involved, he would need to sit down and punch in the numbers. He said that he himself puts in a couple of hours each week and a member of the staff is also involved. At \$10 each, it is putting them in the hole.

Senator Bell remarked that when this proposal comes to committee, POST will be asked how the figure of \$25 was arrived at and it will need to be justified.

Commissioner Lax asked why one permit is four years and another is for one year. Mr. Farris answered that the four years is in the state of Tennessee only and is a four-year renewal. The federal LEOSA in order to carry in all fifty states is annual. Mr. Grisham added that the sponsor of the legislation of allowing the Tennessee only permit wanted retired officers to have the option of multi-year issuance. The wording of the federal LEOSA law is that retired officers have to qualify and do all the requirements that an active duty officer has to do. Tennessee makes those officers qualify annually and reapply annually. Mr. Grisham said he did not want to have the fee be more than \$25 because they are talking about retired officers. The federal LEOSA gives the officers the authority to carry in all fifty states.

Commissioner Baker noted that a person with a handgun carry permit never has to qualify again.

Senator Bell added that another question that will come up is if POST is losing at \$10 and will be losing money at \$25, where will those funds be made up. Mr. Grisham responded that it will be like everything else in the budget in that he borrows from one place and moves it to another. He answered that they are not in the business of making money at all. Everything is appropriated except for fees that are collected for the pay supplement.

Mr. Welch noted that another thing that will cause the program to expand will be retired military police or security police. He said they are now included under the HR218. Mr. Welch said it is his understanding from documentation he has received is that retired policemen from the Army side will have to go back through the office of the Provost Marshall General and they will issue all the cards. Mr. Welch said he believes that if one branch of the military adopts this, then the others will come in line and basically do the same thing.

Chairman Wilson asked if the major expense is coming from the applicants using the firing range. Mr. Grisham answered that there are many vendors and an applicant can go to any POST certified firearms instructor to get the training. He said the expense comes from taking a person in the office from their regular duties to constantly work the program. Mr. Farris commented that it is just a process of handling 525 applicants and issuing cards and getting them mailed. Mr. Welch added that if it were just one applicant a day, they can handle that, but when twenty-five to fifty to seventy-five applications come in, it bogs the system down.

**Mr. Grisham also said that TBI will not give POST NCIC access. TBI does not consider them a law enforcement agency. He said that IDALEST is pursuing nationwide all POST agencies to have NCIC access. Senator Bell asked if POST has access to NCIC, would it make the process more efficient. Mr. Farris answered that it absolutely would. Mr. Grisham said they are now using a private vendor which will give them an indication of any criminal problem, and then POST has to run down all the records. Mr. Grisham said that IDALEST is meeting with the federal counterpart of TBI and they are saying they did not realize there is a problem. There are thirty states that have access to NCIC and the others do not. Mr. Underwood added that TBI has provided access to the Department of Commerce & Insurance regarding security guards to run background checks, but POST does not get access and Bomb & Arson does not get access.**

**Mr. Underwood noted there is a motion to approve the LEOSA fee from \$10 to \$25 and to approve the rulemaking process in order to raise the LEOSA fee. Commissioner Baker seconded. The motion carried.**

**Mr. Farris reported that he did receive correspondence based on information sent to the U.S. Attorney and based on their investigation of Chief Akagi, he did not violate federal law. Chairman Wilson asked if Chief Akagi was supposed to surrender his weapon when he had the order of protection taken against him. Mr. Grisham explained the order of protection was taken out ex parte. After the hearing, the order of protection was left in effect. According to the U.S. Attorney, the chief did not violate federal law by keeping his weapon.**

#### AUDIT/INSPECTION OF BASIC ACADEMIES – POST RULES 1110-07-.06(2) (B)

##### Tennessee Highway Patrol Law Enforcement Training Academy Findings/Recommendations

Mr. Farris reported POST did receive THP's letter in order to be compliant. Upon performing the audit, he found that more than one instructors' file was missing the police certification for basic police school. Also, their hours of training, although it exceeded POST standards, were not categorized correctly in the system. There will be a formal request for their instructors on the July agenda. The categorization of their hours was immediately rectified on site. Mr. Farris said he is recommending to issue the letter of compliance.

Commissioner Williamson moved for approval, seconded by Commissioner Fanion. The motion carried.

#### AUDITS – JOHN WELCH

The departments listed below were audited on May 28, 2015 in accordance with POST Rule 1110-5-.01(3).

Two (2) agencies met or exceeded the standards outlined in the above referenced rule:

\*Indicates missing documents that will require re-audit in 30-45 days.

White County SO  
Warren County SO\*  
McMinnville PD  
Cannon County SO\*  
Woodbury PD\*

Re-audit – May 27, 2015  
Eagleville PD –In compliance.

#### AUDITS – STAN MURPHY

The departments listed below were audited on May 13 & 14, 2015 in accordance with POST Rule 1110-5-.01(3). All agencies met or exceeded the standards outlined in the above referenced rule:

\*Indicates missing documents that will require re-audit in 30-45 days.

Spring Hill PD



The following officers are requesting a waiver of the eight month rule. They completed IST and will be eligible for salary supplement.

Chattanooga PD	Scott Taylor – Ret. 04-30-14, IST
Chattanooga PD	David Woosley – Ret. 07-31-2014, IST

Commissioner Lewis moved to approve, seconded by Commissioner Jenkins. The motion carried.

**VARIOUS WAIVERS – RULE 1110-09-.05**

**Request waivers for the following officers so they remain in compliance with POST guidelines as well as the department.**

Maynardville PD –Request to allow the following officers to remain in compliance with POST guidelines. Due to change in staff from sheriff elections last year, the department has exhausted all means of obtaining training records for the following officers

Roger L. Richardson  
Phillip Johnson

it Mr. Welch said there are allegations that records have disappeared after the new sheriff came into office. He added that one of these individuals was the training officer in the department and was always difficult to get paperwork from him. Mr. Welch said the department can miss one year and ask for a waiver, however, they cannot miss the next year. Chairman Wilson asked if that waiver is for the entire department or just these two individuals. Mr. Welch answered it is a two-man department and the waiver is for both individuals. Mr. Underwood added they will not get salary supplement but they will not be in violation of POST rules. They will have to provide records for 2015 in-service.

Commissioner Fanion moved to approve, seconded by Commissioner Baker. The motion carried.

**WAIVERS OF SIX (6) MONTH RULE:**

Celina PD – Keen, Chris – Request waiver of the six month rule. Officer Keen began employment on 04-27-2015. He is attending TLETA in Oct. 2015. Request a waiver so that he and the department remain in compliance and upon successful completion of Basic Training, he may be issued POST Certification.

Commissioner Lewis moved to approve, seconded by Commissioner Fanion. The motion carried.

Chattanooga PD – Niver, Jeremiah – Request waiver of the six month rule. He was employed on 06-25-2014 and began the 2014-1 Academy and was injured on 06-28-2014. He began the 2015-1 Academy on 04-17-2015 and will graduate on 09-17-2015, requesting a waiver of the six month rule so he and the department may remain in compliance and that he be issued POST Certification upon successful completion of the academy.

Commissioner Lewis moved to approve, seconded by Commissioner Fanion. The motion carried

Lawrence County SO – Snider, Carrie Jane – Request waiver of the six month rule. Deputy Snider began employment with the department on 12-8-2014 and will be attending the May Session of Basic Police School at TLETA. She attended the Jan. 2015 session, but failed the firearms portion. Request a waiver so

he and the department remain in compliance and upon successful completion of Basic Training, she will be issued POST Certification.

Ms. Snider is attending the current Basic.

Commissioner Baker moved to approve, seconded by Commissioner Lewis, which motion carried.

Perry County SO – Pendleton, Dave Lewis – Request waiver of the six month rule. Deputy Pendleton attended the March, 2015 Basic Police School at TLETA but failed due to academics. He was employed with the department on 11-14-2014. Request a waiver so he and the department remain in compliance and upon successful completion of Basic Training, he will be issued POST Certification.

Mr. Grisham remarked that Mr. Pendleton will have to wait until October to attend Basic and will be told he cannot work alone until he completes Basic.

Commissioner Williamson moved to approve, seconded by Commissioner Lewis. The motion carried.

Rhea County SO – Wilson, III, Thomas Earl – Request waiver of the six month rule. He is enrolled in the May, 2015 Basic at TLETA. He began employment with the department on 1-1-2015. Request a waiver so he and the department remain in compliance and upon successful completion of Basic Training, he will be issued POST Certification.

Commissioner Lewis moved to approve, seconded by Commissioner Fanion. The motion carried.

Van Buren County SO – Ballew, Shane Von – Request waiver of the six month rule. He began employment on 1-12-15 and will be attending the May, 2015 Basic at TLETA. Request a waiver so he and the department remain in compliance and upon successful completion of Basic Training, he will be issued POST Certification.

Commissioner Lewis moved to approve, seconded by Commissioner Rhoades. The motion carried.

Washington County SO – Allen, Perry Wayne – Request waiver of the six month rule. Deputy Allen began WSCC on 4-12-2015, but was injured and missed the firearms segment and is returning to the next scheduled academy 7-27-2015 – 9-18-2015. Request a waiver so he and the department remain in compliance and upon successful completion of Basic Training, he will be issued POST Certification.

Commissioner Lewis moved to approve, seconded by Commissioner Rhoades. The motion carried.

Washington County SO – Hamrick, Cynthia Renee – Request waiver of the six month rule. Deputy Hamrick began WSCC on 4-12-2015, but due to a medical emergency in her family she missed the defensive tactics segment and is returning to the next scheduled academy 7-27-2015 – 9-18-2015. Request a waiver so she and the department remain in compliance and upon successful completion of Basic Training, she will be issued POST Certification.

**Commissioner Lewis moved to approve, seconded by Commissioner Rhoades. The motion carried.**

#### **ADMINISTRATIVE WAIVER**

Huntland PD – Albaugh, Ryan Everette –  
Requesting an Administrative Waiver for an Entry Level Separation, (Uncharacterized) Discharge he received from the United States Marine Corps. He sustained an injury during boot camp, which did not

heal in the military's allotted time for recovery. He became full time with Huntland PD on 4-2-2015, and was previously certified. Request a waiver so he may remain in certified status.

Mr. Welch said Mr. Albaugh is being processed as a new hire. He attended Cleveland State CC and has a POST certification number. He was discharged from the military in December of 2014 with some type of stress fracture.

Commissioner Lewis moved to approve, seconded by Commissioner Fanion. The motion carried.

Murfreesboro PD – Russell, Jordan

Requesting an Administrative Waiver for an Uncharacterized Discharge from the Army after six weeks of basic training due to a medical condition. Upon full time employment and successful completion of basic training he may be issued POST Certification.

Commissioner Lewis moved to approve, seconded by Commissioner Rhoades. The motion carried.

Montgomery County SO – Carroll, Derrick R.

Requesting an Administrative Waiver for an Entry Level Separation from the United States Marine Corps in 1988. He was immature and naive and was not prepared for the physical fitness test, so was transferred to the Physical Conditioning Platoon and given 45 days to achieve the proper fitness level. He was unable to pass and was not permitted to return to a training platoon and therefore discharged from the Marine Corps. Request a waiver so that he remains in certified status with the Department.

Commissioner Lewis moved to approve, seconded by Commissioner Baker. The motion carried.

Mr. Farris mentioned that the Department of Commerce & Insurance has asked for any legislation that POST may be requesting for next year. He said there are a couple of matters he would like the commission to keep in mind. This past spring, the Department of Safety had proposed legislation concerning persons who have been convicted of a DUI in the last five years or charged with a domestic or stalking or assault on a spouse or other individual and their authority to carry a handgun. Mr. Farris said he feels these are all good reasons not to give someone a handgun if they have been involved in such activity. He said Commerce & Insurance will pick up those recommendations and mirror those if the POST Commission is amenable to that. Mr. Farris said he would like to submit these recommendations to the department and they may or may not pass.

Mr. Grisham reported that the Commission will also be presented with a suggested curriculum for part-time, temporary and reserve officers. The curriculum will be bolstered by 10 percent of the new 480 hour Basic. The rules will be modified to reflect the 120 hours for reserve basic. Mr. Grisham added they are trying to get the other ten academy directors or their designees to attend a director's school. He remarked that the executive director of IDALEST will come to Tennessee and visit and invites anyone who is interested to attend that meeting, which will give the commissioners a chance to interact with the other academy directors.

Mr. Grisham also added that in 2017, Tennessee will be hosting the IDALEST Conference in Nashville or Memphis. Mr. Grisham reported that he, Mr. Farris and Inv. Murphy went to San Antonio and had a very informative meeting with several initiatives that are going on. IDALEST was mentioned in three of the elements of the President's Commission on 21<sup>st</sup> Century Policing and will play an integral role. The National Decertification Index will be expanded to require all states to participate. Tennessee is one of thirty-seven states that currently participates.

Mr. Underwood noted that a motion is needed in order for Mr. Farris to pursue the legislation he talked about previously.

Commissioner Rhoades moved to approve, seconded by Commissioner Williamson. The motion carried.

The next regular POST meeting will be on Friday, July 17<sup>th</sup>, 2015. The Informal Hearing Committee will not meet in July.

There being no further business, the meeting adjourned.

RESPECTFULLY SUBMITTED

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Patsy Norman  
Licensed Court Reporter #410  
State of Tennessee  
License Expires: 06/30/2016

APPROVED \_\_\_\_\_  
RIC WILSON  
Chairman

DATE: \_\_\_\_\_