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Transcript of the Proceedings  
PEACE OFFICER STANDARDS AND TRAINING COMMISSION  
COMMITTEE MEETING  
March 18, 2019

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Reported by:  
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PROCEEDINGS

MADAME CHAIR BAKER: So good morning. This is the official start of the POST Commission Meeting for today. Today's date is March 15th, 2019. We're going to start with some administrative matters. As you see an empty chair next to me, we need a vice chair. So we're going to start with nominations for vice chair.

COMMISSIONER PARTIN: I nominate Tom Spangler.

MADAME CHAIR BAKER: Do we have a second?

GENERAL CHERRY: I'll second.

MADAME CHAIR BAKER: We have a motion and a second. Do we have any other motions? (Pause) All in favor? (Aye) Opposed? (Pause) All right. Come on up here.

All right. The next thing on the agenda is decertification committee.

MR. UNDERWOOD: No. Adoption of agenda.

MADAME CHAIR BAKER: Do we want to do that first? Okay. I'm out of order. Thankfully, we have legal counsel here. So the next thing we're going to do is the adoption of the agenda. Do we have a motion?

COMMISSIONER FORRESTER: I'll make a motion.

COMMISSIONER PARTIN: I'll second.

MADAME CHAIR BAKER: A motion and a second. All in favor? (Aye) Opposed? (Pause) All right, so

1 moved. All right. Can we do roll call next?

2 ASST. DIRECTOR MINES: Yes, ma'am.

3 Commissioner Forrester? (Here), Commissioner Spangler?  
4 (Here), Commissioner Partin? (Here), Commissioner  
5 Russell? (Pause), Commissioner Faulkner? (Here),  
6 Commissioner Dunbar? (Here), Commissioner Waggoner?  
7 (Here), Commissioner Birchfield (Here), Commissioner  
8 Wright (Here), Representative Hulsey (Pause), Senator  
9 Jackson (Here), Senator Russell (Pause), General  
10 Cherry (Here), and Madame Chair, Commissioner Baker,  
11 (Here).

12 Thank you.

13 MADAME CHAIR BAKER: And I'm going to read a  
14 disclaimer statement. All POST Commissioners have  
15 previously agreed to recuse themselves from any vote  
16 that would constitute a conflict of interest. The most  
17 obvious of those would include issues involving our own  
18 department or someone we know personally.

19 Because we have already agreed to this, it  
20 should be noted that on routine matters, it will be  
21 assumed non-verbally that these commissioners have  
22 abstained from the vote. In bigger more controversial  
23 issues, that may have a more overt conflict of interest  
24 or may have an appearance of impropriety, applicable  
25 commissioners will still verbally abstain from these

1 votes.

2 All right. Did everybody get the minutes from  
3 the last meeting? How do we approve minutes if they  
4 didn't get it?

5 DIRECTOR GRISHAM: Did everyone receive an  
6 e-mail yesterday? Did everyone read the minutes?  
7 Commissioner Forrester, did you -- you were in  
8 attendance at the last --

9 COMMISSIONER FORRESTER: I was working and  
10 driving yesterday. I didn't get a chance to.

11 MR. UNDERWOOD: We can -- we can postpone that  
12 until the next meeting if you like.

13 DIRECTOR GRISHAM: Read over them. There's  
14 only going to be a couple of people that weren't in  
15 attendance. So we'll usually review them to see if it  
16 reflects what you recall from the previous meetings.

17 MADAME CHAIR BAKER: Okay. Do we need a  
18 motion to postpone that?

19 MR. UNDERWOOD: No.

20 MADAME CHAIR BAKER: All right. And there was  
21 no decertification hearing for this month, but we do  
22 need a new decertification committee. So is anybody  
23 interested in being on this committee?

24 GENERAL CHERRY: I'm interested in being on  
25 the committee.

1 MADAME CHAIR BAKER: Thank you. As am I.  
2 I've historically been on the committee as well.

3 MR. UNDERWOOD: And, Chairman, the committee  
4 requires that you appear here on Thursday afternoons  
5 prior to the next commission meeting, at 1:00 in the  
6 afternoon, to discuss the matters regarding  
7 decertification or revocation or suspension of the  
8 officers' certifications. We like to have  
9 approximately three members on the thing and an  
10 alternative as a fourth in case of a backup in case, so  
11 we have at least three people to determine that  
12 information each week -- or each month.

13 COMMISSIONER FORRESTER: I can do it.

14 COMMISSIONER FAULKNER: Do you need another?

15 COMMISSIONER DUNBAR: I'm interested in doing  
16 it.

17 MADAME CHAIR BAKER: Great. Great. Would you  
18 be willing to be a backup?

19 COMMISSIONER FAULKNER: Sure.

20 MADAME CHAIR BAKER: Okay. Backups are  
21 important because occasionally, like, say it's my own  
22 department that's on there, then I can't be a part of  
23 the hearing. So backups become important in that kind  
24 of stuff.

25 DIRECTOR GRISHAM: Commissioner Faulkner, I'll

1 probably notify you if we need you to be there. We can  
2 tell from the docket if there's going to be conflicts.

3 COMMISSIONER FAULKNER: Sure.

4 MADAME CHAIR BAKER: All right. Thank  
5 you-guys for volunteering. All right.

6 MR. UNDERWOOD: Just for the minutes, that's  
7 General Cherry, Commissioner Forrester, Chairman Baker,  
8 and Commissioner Dunbar will be the members of this  
9 committee.

10 MADAME CHAIR BAKER: Correct. Correct. Thank  
11 you, sir.

12 All right. And you-guys speak up if I go too  
13 fast, please, slow me down, or if you have questions,  
14 please don't hesitate.

15 Okay. Waivers -- or appearing before the  
16 Commission, Waivers for Pre-employment Requirements POST  
17 Rule 11 10-02-.03 plus 11 10-09-.04. Blount County  
18 Sheriff's Office. Are they here? (Yes)

19 MADAME CHAIR BAKER: Good morning. Requesting  
20 arrest waiver for Kathleen Marie Coutts for approval to  
21 be a POST Certified Police Officer upon completion of  
22 the Blount County Sheriff's Office Regional Law  
23 Enforcement Training Academy. On October 15th, 2005,  
24 Ms. Coutts was charged as a minor in possession of  
25 alcohol due to being 18 and intoxicated. Court-ordered

1 restitution has been satisfied.

2 Good morning.

3 MS. COUTTS: Good morning.

4 MADAME CHAIR BAKER: Can you introduce  
5 yourselves, please.

6 LIEUTENANT BLAIR: Lieutenant Josh Blair,  
7 Blount County Sheriff's Office.

8 MS. COUTTS: Kathleen Coutts.

9 MADAME CHAIR BAKER: Thank you. I knew I said  
10 it wrong.

11 MS. COUTTS: It's okay.

12 MADAME CHAIR BAKER: Thank you. All right.  
13 Ms. Coutts, can you explain what happened?

14 MS. COUTTS: Sure. I was in college at the  
15 time and 18 and returning back to my dorm from a party  
16 and came in contact with Mecosta County Police Officers,  
17 where they issued me a ticket for being 18 and  
18 intoxicated, a minor in possession, and I paid a \$215  
19 fine.

20 MADAME CHAIR BAKER: Any commissioners have  
21 questions? (Pause) If not, do we have a motion?

22 GENERAL CHERRY: I'll make a motion to approve  
23 the request for waiver.

24 COMMISSIONER FORRESTER: Second.

25 MADAME CHAIR BAKER: Thank you. We have a

1 motion and a second for approval. Any other discussion?

2 (Pause) All in favor? (Aye) Opposed? (Pause).

3 All right. Congratulations. Good luck.

4 MS. COUTSS: Thank you.

5 LIEUTENANT BLAIR: Thank you very much.

6 MADAME CHAIR BAKER: South Pittsburg Police

7 Department? (Pause) No answer?

8 MR. WRATHER: No answer.

9 MADAME CHAIR BAKER: All right. Requesting  
10 arrest waiver for Cody Allen Pittman to attend the  
11 March, 2019 Basic Tennessee Law Enforcement Training  
12 Academy. Mr. Pittman was charged with violation  
13 drinking age law on 8/15/2009 and was convicted on  
14 8/31/200. Court-ordered restitution has been satisfied.

15 What is the Commission's pleasure? We can  
16 postpone for the department to be here or we can make a  
17 motion.

18 COMMISSIONER FORRESTER: I'll make a motion to  
19 move it to the end of the agenda.

20 GENERAL CHERRY: Second.

21 MADAME CHAIR BAKER: We have a motion and a  
22 second to move this to the end of the agenda to give the  
23 department time to get here. Any other discussion?

24 (Pause) All in favor? (Aye) Opposed? (Pause) Thank  
25 you.



1 Hardin County Sheriff's Department? (Pause).

2 MR. WRATHER: Madame Chair, South Pittsburg  
3 has arrived. They'll be right after this, if that's  
4 permissible.

5 MADAME CHAIR BAKER: Okay. Thank you, sir.  
6 Hardin County Sheriff's Office requesting arrest waiver  
7 for Stacy Dewayne Presley. On May 8th, 1995,  
8 Mr. Presley was arrested for DUI in Corinth,  
9 Mississippi. Mr. Presley completed four hours in jail  
10 and satisfied all court costs and fines.

11 Good morning. Can you introduce yourselves,  
12 please.

13 SERGEANT TERRY: I'm Sergeant Matt Terry with  
14 the Hardin County Sheriff's Office.

15 MR. PRESLEY: I'm Stacy Presley.

16 MADAME CHAIR BAKER: Thank you, sir.  
17 Mr. Presley, can you talk to us about what happened that  
18 day?

19 MR. PRESLEY: Yes, ma'am. Me an my wife had  
20 went out to eat, and I had drank a couple of the beers.  
21 The plan was she was driving home, but on the way home,  
22 she got bad sick over something she ate, was vomiting,  
23 and we pulled over to the side of the road, and she got  
24 out and continued throwing up. She couldn't drive. We  
25 had no phone to call, so I drove home. It was a mistake

1 but that was 20 years ago. I haven't drank since. I  
2 mean, I learnt my lesson.

3 COMMISSIONER FORRESTER: What is your current  
4 role at the sheriff's department?

5 MR. PRESLEY: Deputy.

6 COMMISSIONER FORRESTER: Are you in a patrol  
7 capacity?

8 MR. PRESLEY: I'm riding with my sergeant  
9 right now.

10 SERGEANT TERRY: He's recently been promoted  
11 from corrections to patrol, and he rides with a patrol  
12 sergeant, not myself, but he's with a patrol sergeant  
13 when he's working.

14 COMMISSIONER FORRESTER: Well, you know, in a  
15 law enforcement capacity, it's actually a misdemeanor  
16 offense for him to act in a patrol capacity prior to  
17 getting this -- this waiver.

18 SERGEANT TERRY: Okay. Was not aware of that.

19 COMMISSIONER FORRESTER: Yes, sir. The chief,  
20 if he knows, and whoever writes the check to pay him,  
21 actually commits a misdemeanor if they know that he  
22 is -- is in need of a waiver.

23 SERGEANT TERRY: Before the waiver? I wasn't  
24 aware of that.

25 COMMISSIONER FORRESTER: How long has he been

1 employed?

2 SERGEANT TERRY: He's been employed, if I'm  
3 not mistaken, April of 2018 is when he started in the --  
4 as a corrections officer.

5 MADAME CHAIR BAKER: Does anyone else have any  
6 questions or discussions?

7 GENERAL CHERRY: Just one or two. Mr. Presley  
8 -- I'll call you Mr. Presley right now, but probably  
9 Officer Presley in a few minutes, I hope, but you say  
10 you don't drink at all anymore?

11 MR. PRESLEY: No, sir.

12 GENERAL CHERRY: Since 1995, you haven't --

13 MR. PRESLEY: No, sir.

14 GENERAL CHERRY: Good for you. What have you  
15 been doing since 1995? What kind of employment history  
16 do you have?

17 MR. PRESLEY: Well, I got my license back, I  
18 got my CDL's. I drove a truck for a while over the  
19 road, and then I got in corrections.

20 GENERAL CHERRY: How's it been in corrections?

21 MR. PRESLEY: I love it. It's just something  
22 that I've already wanted to do, and I really enjoy it.

23 GENERAL CHERRY: Are you looking forward to  
24 going on patrol and doing something a little bit  
25 different?

1 MR. PRESLEY: Yes, sir.

2 GENERAL CHERRY: I make a motion that we  
3 approve the request for a wavier.

4 COMMISSIONER PARTIN: I'll second.

5 MADAME CHAIR BAKER: We have a motion and a  
6 second. Any other questions or discussion? (Pause)  
7 All in favor? (Aye) Opposed (Pause) All right.  
8 Good luck to you, sir.

9 MR. PRESLEY: Thank you.

10 MADAME CHAIR BAKER: South Pittsburg is here  
11 requesting arrest waiver for Cody Allen Pittman to  
12 attend the March, 2019 Basic Tennessee Law Enforcement  
13 Training Academy. Mr. Pittman was charged with  
14 violation drinking age law on 8/15/2009 and was  
15 convicted on 8/31/2009. Court-ordered restitution has  
16 been satisfied.

17 Good morning.

18 CHIEF JORDAN: Good morning. Chief Wayne  
19 Jordan, South Pittsburg Police Department and Cody  
20 Pittman, South Pittsburg Police Department. We're here  
21 requesting this waiver. He wasn't -- the incident was  
22 the sheriff's department was called out to a fight; he  
23 wasn't involved in the incident. He was fishing on the  
24 riverbank as a young man, had a couple of beer cans  
25 setting beside him. Officers came back by, started

1 talking to him, found out that he was under the age of  
2 21, charged him with underage consumption.

3 He satisfied all fines. We've got the  
4 receipts and everything for that. He's had no other  
5 incidents with law enforcement since that time.

6 MADAME CHAIR BAKER: Thank you. Any questions  
7 from the commission? (Pause) Do we have a motion?

8 COMMISSIONER PARTIN: I make a motion to  
9 approve.

10 MADAME CHAIR BAKER: We have a motion to  
11 approve.

12 COMMISSIONER SPANGLER: Second.

13 MADAME CHAIR BAKER: And a second. Any other  
14 questions or discussion? (Pause) All in favor? (Aye)  
15 Opposed? (Pause) All right. Good luck to you.

16 CHIEF JORDAN: Thank you.

17 MADAME CHAIR BAKER: Humboldt Police  
18 Department? (Pause)

19 MR. WRATHER: No, ma'am.

20 MADAME CHAIR BAKER: All right. If there are  
21 no objections, we'll move that to the end of the agenda.

22 Hendersonville Police Department? (Pause)  
23 Good morning. Requesting arrest two pre-employment  
24 waivers, criminal record waiver and military discharge  
25 waiver, for Michael Dewayne Loyd. In 1995, Mr. Loyd has

1 one count of worthless checks in Sherwood, Arizona --  
2 Arkansas, sorry. In 1997 Mr. Loyd had two counts of  
3 worthless checks in Sherwood, Arkansas, and in 1997,  
4 Mr. Loyd received a summary court martial from the  
5 Arkansas National Guard for being AWOL. Mr. Loyd spent  
6 25 days in the Clark County Jail in Arkansas. Mr. Loyd  
7 has satisfied all court costs and restitution.

8 And there's a note, Mr. Loyd was previously  
9 employed with Springfield Police Department in 2005 to  
10 2019, and none of the above-mentioned incidents were  
11 previously brought to the POST Commission's attention.

12 All right. Good morning. Can you both  
13 introduce yourselves to the commission, please.

14 MR. LOYD: I am Michael Loyd.

15 CHIEF MILLER: I'm Chief Mickey Miller.

16 MADAME CHAIR BAKER: Mr. Loyd, can you talk  
17 about your -- these two waivers that you're requesting,  
18 the military discharge and the criminal record?

19 MR. LOYD: Yes, ma'am. I was a teenager and  
20 could not manage money. Went from living behind a gas  
21 station trash dumpster to being in the guard. Took over  
22 another person's automobile loan. That automobile  
23 engine failed, and I continued to pay his loan, unable  
24 to support myself. The four hot checks that I have are  
25 for \$5 to \$25 from McDonald's, Waffle House, a easy mark

1 for food. I not -- I was not trying to deprive somebody  
2 of their stuff and writing outrageous hot checks to  
3 steal from somebody.

4 MADAME CHAIR BAKER: And you said there were  
5 four of them?

6 MR. LOYD: Yes, ma'am.

7 MADAME CHAIR BAKER: Okay. And what about the  
8 military discharge?

9 MR. LOYD: I received two honorable discharge,  
10 one from the national guard to go active duty at Fort  
11 Campbell, and I received an honorable discharge from  
12 Fort Campbell in the active army.

13 GENERAL CHERRY: Madame Chairman, it appears  
14 that we're dealing with a summary court martial that was  
15 for absent without a leave, and I don't think there's a  
16 wavier required for that. I'll defer to Counsel, but...

17 MR. UNDERWOOD: There's not -- that's not a  
18 discharge from the military. He was just punished  
19 regarding not returning to duty.

20 GENERAL CHERRY: He already had two honorable  
21 discharges, one from the guard and then the active duty.  
22 Of course, those don't require any kind of waiver, so I  
23 think he's -- I don't think we need to consider the  
24 AWOL.

25 MR. UNDERWOOD: It's just for the -- regarding

1 the checks.

2 MADAME CHAIR BAKER: All right. Any questions  
3 from the Commission?

4 COMMISSIONER WAGGONER: How long were you in  
5 the military?

6 MR. LOYD: I was in the guard for four and a  
7 half years and three years active at Fort Campbell and  
8 deployed overseas to Kosovo for six months.

9 COMMISSION WAGGONER: And that was after these  
10 check incidents?

11 MR. LOYD: Yes, sir.

12 MADAME CHAIR BAKER: Mr. Loyd, thank you for  
13 your service.

14 MR. LOYD: Thank you, ma'am.

15 MR. UNDERWOOD: The rules consider that  
16 certain things are waivable regarding criminal histories  
17 for applicants' pre-employment requirements, and in this  
18 consideration, you take length of time, restitution, and  
19 severity of the offenses and so forth. This would  
20 qualify as -- we've already approved several waivers,  
21 the would qualify under the waiver program that we have  
22 under the rules.

23 MADAME CHAIR BAKER: Chief Miller, do you feel  
24 confident about Mr. Loyd?

25 CHIEF MILLER: Yes, ma'am, I do. Definitely,



1 he had a hard life growing up. He did serve his  
2 country. He spent 14 years as Springfield Police  
3 Officer, and since he's been at Hendersonville, he's  
4 done an excellent job. He's been there a short time,  
5 but his commander, Commander Janel Rogan, informs me  
6 that he's on top of the game, and I think he's a valid  
7 asset to our department. Thank you.

8 DIRECTOR GRISHAM: Mr. Loyd, any idea why it  
9 never showed up in a Springfield background check?

10 MR. LOYD: Yes, sir, I was never asked. I  
11 originally in reserve at Montgomery County Sheriff's  
12 Office, after that, I put, myself through Walter State  
13 Academy, applied at Montgomery County full-time, applied  
14 at Austin Peay full-time, applied at Springfield,  
15 applied here at TLETA. None of those agencies asked me  
16 if I'd ever wrote a hot check, if I'd had a disciplinary  
17 action in the military or if I ever had a driving  
18 record.

19 DIRECTOR GRISHAM: Did these show up on a  
20 fingerprint check?

21 MR. LOYD: No, sir.

22 MADAME CHAIR BAKER: It should be part of the  
23 application process that you're asked if you've ever  
24 been arrested.

25 MR. LOYD: Yes, ma'am. I -- the arrest, I

1 received a notice that I wrote a hot check, I went and  
2 paid for it. There was no arrest warrant issued, I was  
3 not booked into a county jail, I was never transported  
4 in a police car.

5 ASST. DIRECTOR MINES: Looking back at his  
6 file in 2005, his application indicates that he never  
7 was arrested; however, there is something showing that  
8 he was arrested for the bad checks, in Springfield, in  
9 2005, is what we show.

10 CHIEF MILLER: In his Springfield application?

11 ASST. DIRECTOR MINES: Yes, sir.

12 CHIEF MILLER: There's no waiver in there?

13 ASST. DIRECTOR MINES: No, sir.

14 COMMISSIONER PARTIN: Madame Chairman, what  
15 you're looking at, would those possibly be the criminal  
16 summonses that are showing, or are you actually looking  
17 at the arrest warrants, or are you looking at the NCIC  
18 record?

19 JANINE BREEDEN: When he was with Springfield,  
20 the results was, no record, no record. His application,  
21 he marked, no, on all the arrest questions. It was  
22 brought to our attention when he was with  
23 Hendersonville, in their background check, he noted  
24 that.

25 DIRECTOR GRISHAM: Mr. Loyd's served a lot of

1 years, and he's taught for the academy, as a matter of  
2 fact, I'm very familiar with him. He never went through  
3 a background check because he wasn't hired at the  
4 academy.

5 COMMISSION WAGGONER: I'll make a motion to  
6 approve.

7 COMMISSIONER PARTIN: I'll second.

8 MADAME CHAIR BAKER: I have a motion and a  
9 second. Is there discussion or questions? (Pause) All  
10 in favor? (Aye) Opposed? (Pause) All right. Good  
11 luck.

12 MR. LOYD: Thank you.

13 MADAME CHAIR BAKER: Hardeman County Sheriff's  
14 Office? (Pause) Good morning. The Commissioners will  
15 note we have Hardeman County on page 3 and again on page  
16 11. We'll deal with them both separately, but back to  
17 back.

18 Requesting pre-employment arrest waiver for  
19 William Logan Howell. Mr. Howell was convicted of two  
20 counts of simple assault on 12/2/2010 in Jackson,  
21 Tennessee. Mr. Howell received a suspended sentence for  
22 11/19 with credit of days served, along with 100 days of  
23 community service and a fine of \$254. Court-ordered  
24 restitution has been satisfied.

25 Good morning. Can you each introduce

1 yourselves to us, please.

2 CAPTAIN BRIAN MANGRUM: I'm Captain Brian  
3 Magrum (phonetic) with the Hardeman County Sheriff's  
4 Office.

5 MR. HOWELL: I'm Logan Howell.

6 MADAME CHAIR BAKER: Good morning.  
7 Mr. Howell, can you talk about the simple assault,  
8 please.

9 MR. HOWELL: Yes, ma'am. I was 21 at the  
10 time, and I was leaving the club, where I shouldn't have  
11 been in the first place, and there was guy that like  
12 slammed his door, punched his -- punched it or  
13 something, it was a loud noise, and I asked him if  
14 everything was all right. And the guy was belligerent  
15 and just kept asking me to leave, and then his  
16 girlfriend came up and said, sir, will you please just  
17 leave.

18 So me and my buddy got in the truck and began  
19 to leave, and then he like stood in front of my truck,  
20 and I -- I started going, and he kept standing in front  
21 of my truck and then he moved, so then I kept going.  
22 And then a light tried to stop me, and I tried to get  
23 out of the way of it, I mean, I was swerving to miss the  
24 light that was trying to stop me, and he was hitting the  
25 side of my truck, but I thought it was the security

1 guard for the club, and it turned out it was a cop out  
2 of his vehicle, and he said that I was trying to run  
3 both of them, which in fact, I was just leaving, I  
4 wasn't trying to run them over.

5 MADAME CHAIR BAKER: And when you got to  
6 court, what was your plea?

7 MR. HOWELL: I pled to simple assault.

8 MADAME CHAIR BAKER: You pled guilty?

9 MR. HOWELL: Yes, ma'am.

10 COMMISSIONER FORRESTER: What about striking  
11 the vehicle?

12 MR. HOWELL: The -- they dismissed that one.  
13 But I wasn't aware that I hit the car in the parking lot  
14 until after the fact, that they had told me.

15 COMMISSIONER FORRESTER: Okay. Also, in your  
16 statement in your file, it says you were -- let's see  
17 here, you interjected in an argument, as opposed to just  
18 asking a guy if everything was okay, after he hit his  
19 car.

20 MR. HOWELL: No, sir. We -- he began yelling  
21 at me, and I was just standing, and his girlfriend came.  
22 Like, I didn't really -- we didn't have words back and  
23 forth.

24 COMMISSIONER FORRESTER: No. You said in your  
25 statement, when I interjected, I was threatened by the

1 male and told to get in my vehicle and leave.

2 MR. HOWELL: Yes, sir. But all I did was ask  
3 him if everything was all right. That was the only  
4 thing I said to him. That was me interjecting.

5 COMMISSIONER FORRESTER: Okay. But you said a  
6 minute ago, you just saw -- you didn't mention the  
7 argument with the girlfriend, you just said --

8 MR. HOWELL: Well, no, he -- I didn't know he  
9 was arguing with his girlfriend. I'm saying, I said, is  
10 everything all right, is the only thing I said. That  
11 was me interjecting. I didn't realize I was  
12 interjecting but I was.

13 GENERAL CHERRY: Mr. Howell, this is more than  
14 nine years ago. What have you been doing the past nine  
15 years?

16 MR. HOWELL: I worked at the prison in  
17 Whiteville, off and on, like I went there for two or  
18 three years, and then I left and then I came back.

19 GENERAL CHERRY: In what capacity were you at  
20 the prison?

21 MR. HOWELL: I was the -- the last time or the  
22 first time?

23 GENERAL CHERRY: Both.

24 MR. HOWELL: The first time I was a -- I  
25 started out as a CO, and I worked my way up to a

1 sergeant, and then I came back as a sergeant, and I  
2 worked my way up to a securities record investigator.

3 MADAME CHAIR BAKER: So this is pre-employment  
4 arrest waiver, you have not been hired at this point; is  
5 that correct?

6 MR. HOWELL: Yes, ma'am. That's correct.

7 MADAME CHAIR BAKER: All right. And if the  
8 Commissioners look at the rules for hiring an officer,  
9 we have under the pre-employment requirements, we have  
10 not having been convicted or pled guilty or entered a  
11 plea of nolo contendere to any felony charge or any  
12 violation of federal or state or city ordinances related  
13 to force, theft, violence, dishonesty, gambling, liquor  
14 or other alcoholic beverages, or controlled substances.  
15 This is something that can be waived. The question is  
16 whether or not you feel like it should be waived.

17 GENERAL CHERRY: I'd like to ask the  
18 department, what have been your impressions and  
19 experience with Mr. Howell?

20 CAPTAIN MANGRUM: We haven't noticed any anger  
21 issues, so to speak, or any violent tendencies. We've  
22 spoken with his previous employer, they were very  
23 satisfied with his employment history and his  
24 credibility is very good.

25 GENERAL CHERRY: Is it your experience people

1 coming from working in a prison, they have to deal with  
2 difficult circumstances from time to time?

3 CAPTAIN MANGRUM: Yes, sir.

4 GENERAL CHERRY: Do you think that's going to  
5 serve him well?

6 CAPTAIN MANGRUM: I believe that prepared him  
7 well for law enforcement.

8 GENERAL CHERRY: Have you had any issues with  
9 dishonesty or respectability or...

10 CAPTAIN MANGRUM: No, sir. No problems at  
11 all.

12 COMMISSIONER WAGGONER: Is he eligible to be  
13 rehired by his former employer?

14 CAPTAIN MANGRUM: Yes, to my knowledge he is.

15 GENERAL CHERRY: I'll move to approve.

16 MADAME CHAIR BAKER: We have a motion to  
17 approve the waiver. Do we have a second?

18 SENATOR JACKSON: I'll second.

19 MADAME CHAIR BAKER: We have a motion and a  
20 second to approve the waiver. Do we have any other  
21 questions or discussion? (Pause) I personally have a  
22 tendency when it comes to violence to give it a second  
23 glance to consider how we should do this. So any other  
24 questions or discussion?

25 SENATOR JACKSON: I have a question. I



1 apologize. I was trying to find my button here. The  
2 assault occurred on 12/02 of '10. When was the court,  
3 the day that you pled guilty?

4 MR. HOWELL: That was the day. The -- this --  
5 the incident occurred on -- in October. It was before  
6 Halloween, I think like the 23rd.

7 SENATOR JACKSON: So the event occurred in  
8 October and --

9 MR. HOWELL: Yes, sir. That was when we  
10 agreed in court, that's when I pled guilty.

11 SENATOR JACKSON: You say you agreed in court.  
12 Did you have legal counsel?

13 MR. HOWELL: Yes, sir.

14 MADAME CHAIR BAKER: All right. We have a  
15 motion on the floor to approve. Any other discussion?  
16 (Pause) All in favor? (Aye) Any opposed?

17 COMMISSIONER FORRESTER: No.

18 MADAME CHAIR BAKER: One objection.

19 MR. UNDERWOOD: While they'll still here...

20 MADAME CHAIR BAKER: Yes, right. On page 10  
21 of the agenda, ladies and gentlemen, submission of late  
22 paperwork. Mr. Howell was hired as a police officer on  
23 January 19th, 2017. The POST Commission was not  
24 notified or provided any of Mr. Howell's pre-employment  
25 documents until February 5th of 2019.

1           So, Captain, can you speak to this, please.

2           CAPTAIN MANGRUM: Let me verify first of all,  
3           it's a different Mr. Howell.

4           MADAME CHAIR BAKER: Oh, okay. I was thinking  
5           how...

6           CAPTAIN MANGRUM: The paperwork, I believe,  
7           has been corrected. It does say 2017, it was actually  
8           2019. I don't know where -- how the error came about,  
9           but that has been corrected and dealt with, and  
10          hopefully, we won't have that problem again. I believe  
11          it was something with the -- I want to say it was the  
12          fiscal that was submitted and had the wrong date on it.

13          MADAME CHAIR BAKER: All right. So just to be  
14          clear, the other Mr. Howell was hired January 19th,  
15          2019?

16          CAPTAIN MANGRUM: Yes, ma'am. It was this  
17          year.

18          MADAME CHAIR BAKER: Okay.

19          MR. UNDERWOOD: Assistant Director, does that  
20          reflect in what's here?

21          ASST. DIRECTOR MINES: We have the document  
22          that's showing '17, so we are not familiar with the '19  
23          date.

24          CAPTAIN MANGRUM: Okay.

25          ASST. DIRECTOR MINES: That's what was

1 submitted, the 2017 date. So I couldn't tell you -- if  
2 you say it's '19, we do not have the documentation  
3 showing that.

4 MR. UNDERWOOD: If that's a mistake with the  
5 wrong year, we need to clarify that later on.

6 CAPTAIN MANGRUM: Okay. It was 2019 and I was  
7 told that the paperwork had been resubmitted. As soon  
8 as we get back to the agency, I'll make sure that it is  
9 submitted today.

10 ASST. DIRECTOR MINES: Yes, sir. Just call me  
11 a call and we'll verify it.

12 CAPTAIN MANGRUM: Okay.

13 MADAME CHAIR BAKER: All right. So it looks  
14 like you-guys are good to go. Mr. Howell, please know  
15 that your arrest may come up in court when you're  
16 testifying against people you arrest, so please be  
17 prepared and ready for that.

18 MR. HOWELL: Yes, ma'am.

19 MADAME CHAIR BAKER: All right. Good luck to  
20 you, sir.

21 MR. HOWELL: Thank you.

22 MADAME CHAIR BAKER: Waivers of Basic Training  
23 - Waiver to Attend Another Academy - POST Rule  
24 11 10-02-.03(3)

25 Chattanooga Police Department? (Pause) Good

1 morning. Request a change of academy for Maraja  
2 Johnson. From March 2017 to August 2017, Ms. Johnson  
3 attended the Memphis Police Academy and failed the  
4 shotgun portion of firearms. Subsequently, she was  
5 dismissed from the academy and voluntarily surrendered  
6 her certificate as a law enforcement officer by  
7 resigning from the Memphis Police Department. It is  
8 requested that Ms. Johnson start the Chattanooga Police  
9 Department's academy in on March 15th of 2019.

10 MR. UNDERWOOD: And, Chairperson, may I  
11 interject? Usually, regarding county transfers, the  
12 rules require that once you start an academy and you  
13 leave for any reasons, you must return to that same  
14 academy that you started. However, there are certain  
15 places -- certain instances where you would not be  
16 allowed to return, and that would be such as Memphis or  
17 Nashville or Chattanooga, you started with them and are  
18 not now working with that agency in support of the  
19 academy, of course, you would not be able to return to  
20 that academy if you're no longer employed by those  
21 agencies. So with those situations, waivers aren't  
22 appropriate to grant that.

23 MADAME CHAIR BAKER: Thank you.

24 So can you introduce yourselves to us, please.

25 SERGEANT SHAW: Yes, ma'am. My name is

1 Sergeant Shaw with the Chattanooga Police Department,  
2 and I'm here to represent our candidates, two basic  
3 candidates and one lateral.

4 MADAME CHAIR BAKER: All right. And  
5 Ms. Johnson?

6 MS. JOHNSON: Yes, ma'am.

7 MADAME CHAIR BAKER: All right. Do you have  
8 anything you'd like to say before we start a discussion  
9 on our part?

10 MS. JOHNSON: No, ma'am.

11 MADAME CHAIR BAKER: All right. Any questions  
12 or discussion or a motion?

13 GENERAL CHERRY: I'll move to approve.

14 COMMISSION WAGGONER: I'll second.

15 MADAME CHAIR BAKER: A motion and second to  
16 approve. Any discussion? (Pause) All in favor? (Aye)  
17 Opposed? (Pause)

18 COMMISSIONER FORRESTER: Abstain.

19 MADAME CHAIR BAKER: One abstention. All  
20 right. Terrific. Congratulations, Ms. Johnson.

21 All right. Next one up is request a change of  
22 academy for Isaiah Nichols -- Mr. Nichols, can you step  
23 up. While Mr. Nichols was employed with the Cleveland  
24 Police Department, he began the Cleveland State  
25 Community College Basic Academy in August of 2016.

1 However, Mr. Nichols did not complete the academy. It  
2 is requested Mr. Nichols attend the 2019-2 Basic Police  
3 Academy with the Chattanooga Police Department beginning  
4 on March 15, 2019, which is the date of hire.

5 So good morning. Anything you'd like to say  
6 before we discuss it?

7 MR. NICHOLS: No, ma'am.

8 COMMISSIONER FORRESTER: Why did you not  
9 finish the academy?

10 MR. NICHOLS: I got -- I finished my degree, I  
11 went back to school and finished my degree.

12 COMMISSIONER FORRESTER: So you just quit?

13 MR. NICHOLS: The way that the Cleveland  
14 Department works, there's like a month, like a rather  
15 long period, the reserve, and within that time, I  
16 decided to go back and finish my degree, and I spoke  
17 with them and they were fine with it.

18 COMMISSIONER PARTIN: Were you going through  
19 the Cleveland Academy as a reserve, sponsored by  
20 Cleveland PD?

21 MR. NICHOLS: Yes, sir.

22 COMMISSIONER PARTIN: Okay.

23 MR. UNDERWOOD: I'd like to speak to the  
24 representative of Chattanooga. When you hire new police  
25 officers to the Chattanooga Police Department, do you

1 require them to go through the academy no matter what,  
2 even if they've already been through a previous academy  
3 training?

4 SERGEANT SHAW: That's correct, sir.

5 MR. UNDERWOOD: Would that be correct?

6 SERGEANT SHAW: That's correct, sir.

7 MADAME CHAIR BAKER: And for clarification,  
8 that's important because it's not necessarily a matter  
9 of academy "shopping," which is what we try to avoid  
10 here on the Commission, it's kind of like several other  
11 police departments, my own included, that they're  
12 required to go through that particular one.

13 So do we have any other questions, discussion  
14 or a motion?

15 GENERAL CHERRY: Mr. Nichols, you finished  
16 your degree, then?

17 MR. NICHOLS: Yes, sir.

18 GENERAL CHERRY: When did you graduate?

19 MR. NICHOLS: December 2017.

20 GENERAL CHERRY: Okay. What was your degree  
21 in?

22 MR. NICHOLS: Sociology and minor in Spanish.

23 GENERAL CHERRY: Okay. So what have you been  
24 doing since then?

25 MR. NICHOLS: I was actually going through the

1 academy. I applied to Chattanooga before I finished my  
2 degree and right now I'm working Bayer (phonetic), so...  
3 This was last year.

4 MR. UNDERWOOD: There's also the two-year --  
5 if you did graduate, you have two years from graduation  
6 to find a job and you'd had to go back to the academy  
7 anyway.

8 MADAME CHAIR BAKER: Well, Mr. Mines is  
9 looking at some information. I'm going to let him  
10 elaborate where -- and I think 2016 --

11 ASST. DIRECTOR MINES: According to Acadis,  
12 Acadis System, he stated that he was a reserve with the  
13 Cleveland Police Department but we show him as a  
14 full-time officer and then resigning as of September  
15 15th, 2016. I don't show him as the reserves.

16 MR. NICHOLS: Yeah, this is a period of --  
17 it's a month before, it's like a ride-along full-time.  
18 I wasn't sure. I just told them that I wanted to finish  
19 my degree and then kind of further my career in law  
20 enforcement. I didn't know if that would help or not,  
21 at the time.

22 SERGEANT SHAW: If I may, I think his  
23 terminology on reserve is inaccurate.

24 MR. NICHOLS: It was. It was an inaccurate  
25 term, but full-time position, we were on ride-along



1 period for that month before the academy actually  
2 started.

3 MADAME CHAIR BAKER: All right. Any other  
4 question, discussions or a motion?

5 COMMISSIONER FORRESTER: Motion to approve.

6 GENERAL CHERRY: Second.

7 MADAME CHAIR BAKER: A motion and a second to  
8 approve. Any discussion? (Pause) All in favor? (Aye)  
9 Opposed? (Pause) Good luck.

10 MR. NICHOLS: Thank you.

11 MADAME CHAIR BAKER: All right. Mr. Taylor?

12 SERGEANT SHAW: I'm sorry, but this is Joseph  
13 Goulet, a lateral.

14 MADAME CHAIR BAKER: Oh, where did I --

15 DIRECTOR GRISHAM: It will be at the bottom of  
16 page 6, Madame Chair.

17 MADAME CHAIR BAKER: Thank you. I'm easily  
18 confused, so please forgive me. Goulet.

19 MR. GOULET: Goulet, yes, ma'am.

20 MADAME CHAIR BAKER: All right. Request  
21 Joseph Goulet be allowed to attend the Chattanooga  
22 Police Department Lateral Academy, starting March 15th,  
23 2019, which is his date of employment. He has attended  
24 the Delaware JVS Law Enforcement Academy February of '13  
25 through August of 2013. He'll be required to complete

1 six hours of EVOC.

2 Has that been scheduled already?

3 SERGEANT SHAW: No, ma'am, that has not been  
4 scheduled. We start him off with some administrative  
5 weeks and then he'll attend EVOC with our basic academy  
6 as well as some Spanish courses.

7 MADAME CHAIR BAKER: And I'm told everything  
8 else is in order. Any other questions or discussion or  
9 motion?

10 COMMISSIONER FORRESTER: Motion to approve.

11 GENERAL CHERRY: Second.

12 MADAME CHAIR BAKER: Was there something else  
13 you wanted to say?

14 COMMISSIONER FORRESTER: It's good.

15 MADAME CHAIR BAKER: We have a motion and a  
16 second to approve. Further discussion? (Pause) All in  
17 favor? (Aye) Opposed? (Pause) Mr. Goulet, good luck.  
18 Good luck to all of you-guys. Thank you, Sergeant.

19 SERGEANT SHAW: Thank you.

20 MADAME CHAIR BAKER: All right. Rutherford  
21 County Sheriff's Office? (Pause) Good morning.  
22 Request a change of academy for Christopher Michael  
23 Taylor. On January 1, 2014, Mr. Taylor started the  
24 police academy with Metro Nashville; however, he only  
25 completed 11 weeks of academy due to injury. On

1 November 14, 2016, Mr. Taylor was employed as a  
2 detention officer with Rutherford County Sheriff's  
3 Office. On January 21st, 2019, Mr. Taylor was promoted  
4 to patrol duty and request to attend the March 31, 2019,  
5 Basic Police Academy at TLETA.

6 Good morning. Can you introduce yourselves,  
7 please?

8 MR. TAYLOR: Yes, ma'am. I'm Christopher  
9 Taylor.

10 SERGEANT MACK: Sergeant Mark Mack.

11 MADAME CHAIR BAKER: Sergeant.

12 And, for the Commission, Metro Nashville is  
13 another one where he can't go back to. Do we have any  
14 questions? Discussions?

15 GENERAL CHERRY: Mr. Taylor, what was your  
16 injury?

17 MR. TAYLOR: Sir?

18 GENERAL CHERRY: What was your injury?

19 MR. TAYLOR: I broke my right tibia, my leg.

20 GENERAL CHERRY: Yeah, that's kind of  
21 serious. Did you have to wear a cast for a while,

22 MR. TAYLOR: It was a boot, yes, sir.

23 GENERAL CHERRY: Is it all healed up now?

24 MR. TAYLOR: Yes, sir.

25 GENERAL CHERRY: Okay. I move to approve.

1 COMMISSIONER FORRESTER: Second.

2 MADAME CHAIR BAKER: Motion and second to  
3 approve. Any other discussion? (Pause) All in favor?  
4 (Aye) Opposed? (Pause) All right. Good luck to you,  
5 sir.

6 MR. TAYLOR: Thank you.

7 MADAME CHAIR BAKER: Jefferson City Police  
8 Department? (Pause) Request a change of academy for  
9 Robert Doyle Bolden, Jr. On August 27th, 2017,  
10 Mr. Bolden started the THP basic academy and did not  
11 graduate. On October 21st, 2018, attended and graduated  
12 from Walter State Community College Basic Police Academy  
13 in December 2019. Please note, Walter State Community  
14 College did not request a waiver prior of Mr. Bolden  
15 attending their academy. Mr. Robert Doyle Bolden, Jr.,  
16 with the Jefferson City Police Department, is requested  
17 to appear for the March 15th POST agenda meeting. Also,  
18 it has been requested for a department representative --  
19 oh, I should probably stop reading at this point.

20 So you were requested to be here because of  
21 that. So can you introduce yourselves, please.

22 MS. TURNER: I'm Holly Turner with Walter  
23 State.

24 CHIEF DAWSON: Good morning. My name is  
25 Dawson, Chief of Police.

1 MR. BOLDEN: Robert Bolden with Jefferson City  
2 Police Department.

3 MR. GESELLE: Jeff Geselle (phonetic) with  
4 Walter State.

5 MADAME CHAIR BAKER: Good morning. So we  
6 should probably start, then, we the change of academy  
7 issue that you started at THP and then went to Walter  
8 State Community College. Any questions or discussions?

9 COMMISSIONER FORRESTER: What happened with  
10 THP?

11 CHIEF DAWSON: Would you like for me to answer  
12 that or Mr. Bolden?

13 COMMISSIONER FORRESTER: Mr. Bolden.

14 MR. BOLDEN: I was having family problems.

15 COMMISSIONER FORRESTER: How far were you  
16 through that THP academy before you --

17 MR. BOLDEN: Five days.

18 MADAME CHAIR BAKER: So I'm going to do them  
19 separately with separate motions, if that's okay with  
20 our legal counsel, because I think the second issue is  
21 general Walter State having let someone graduate without  
22 the waiver, so,

23 MR. UNDERWOOD: Well, the five days may  
24 clarify that issue. That's not a problem. I'm sure.

25 MADAME CHAIR BAKER: Okay. Any other

1 questions or discussion about the change in academy?

2 GENERAL CHERRY: So as far as THP is  
3 concerned that's another one where you can't go back --

4 MADAME CHAIR BAKER: Correct.

5 GENERAL CHERRY: -- so with that in mind, I  
6 move to approve the waiver.

7 COMMISSIONER WAGGONER: Second.

8 MADAME CHAIR BAKER: Motion and a second to  
9 approve the waiver. Any other questions or discussion  
10 on that?

11 COMMISSIONER WAGGONER: This is a clerical  
12 issue, but it says you graduated in December of '19.  
13 I'm assume that's '18.

14 MR. BOLDEN: That's correct.

15 MADAME CHAIR BAKER: I probably read 2019 too,  
16 didn't I? All right. We've got a motion and a second.  
17 Any discussion? (Pause) All in favor of the waiver?  
18 (Aye) Opposed? (Pause).

19 MR. BOLDEN: Thank you.

20 MADAME CHAIR BAKER: All right. So to the  
21 issue of Walter State.

22 MS. TURNER: Can I explain?

23 MADAME CHAIR BAKER: Please do.

24 MS. TURNER: Okay. When Mr. Bolden submitted  
25 his application, he first applied in 2017, we had an

1 older application, he did mark, yes, that he had  
2 attended a POST academy, and where it said, where, he  
3 put Tennessee Safety Training Center. I didn't  
4 recognize that as THP, and a lot of times people will  
5 put on an application if they went through a corrections  
6 academy. So when he put that, I did not -- I saw it but  
7 I did not recognize it as THP.

8 So what we have done to try and keep this from  
9 happening again -- and I have copies of this if you  
10 would like it -- on our checklist, "attended another  
11 academy, yes, no, where?" From now on, if they put  
12 Circus Academy, we're going to say, where was it at? On  
13 our interview sheet, we have also put, have you attended  
14 another academy, and if so, explain. That was my -- I  
15 did not -- I did not recognize it.

16 MR. UNDERWOOD: I thought he forgot to put it  
17 on the application. Five days in the academy, I figured  
18 he didn't put it down.

19 MS. TURNER: No, he did put it. And when I --  
20 if he had put Tennessee Highway Patrol -- and I don't  
21 think he was trying to hide anything, but I didn't  
22 recognize it as "Safety Center."

23 MADAME CHAIR BAKER: Thank you.

24 MR. UNDERWOOD: We have new commission members  
25 today, and usually with these requests, we prefer -- not

1 prefer, we really require that they obtain a waiver  
2 prior to attending academy, because it kind of puts the  
3 Commission in a bind if they go to the academy and then  
4 seek a waiver afterwards, and then they're not granted  
5 one. It takes time, money, and expense to do something  
6 which they are no longer allowed to do. So that's the  
7 importance of trying to get the waivers prior to  
8 enrollment or starting an academy, police department  
9 academy or transfer academy departments. Thank you.

10 MADAME CHAIR BAKER: All right. Do we need a  
11 motion?

12 MR. UNDERWOOD: I don't believe a motion is  
13 here, just clarifying what happened, and I think that's  
14 been explained unless the Commission wishes something  
15 different or has further questions.

16 MADAME CHAIR BAKER: I appreciate your  
17 explanation and I appreciate your cautions to avoid it  
18 in the future.

19 MS. TURNER: Does anyone want copies or  
20 anything?

21 MADAME CHAIR BAKER: I think we're good.  
22 Thank you so much.

23 MS. TURNER: Thank you. Have a good day.

24 MADAME CHAIR BAKER: All right. Waiver of  
25 Basic Training POST Rules 11 10-02-.03 plus 11 10-9-.02.



1 The following requests for waiver/substitution of basic  
2 training have been reviewed and appear to meet POST  
3 requirements.

4 Basically, what that means is, that the great  
5 staff here at the commission have looked at the  
6 paperwork reviewed it to make sure it follows our rules.

7 Johnson County Sheriff's Office request  
8 Michael Keelan Murphy, hired February 25, 2019, be  
9 allowed to attend the March 2019 POST Transition class  
10 at TLETA. Mr. Murphy graduated from the Tennessee Law  
11 Enforcement Training Academy in October of 2008.

12 Mr. Murphy was then employed with the Johnson County  
13 Sheriff's Office until resigning in 2011.

14 So good morning. Can you introduce  
15 yourselves, please.

16 MR. BROWN: My name is Shawn Brown. This is  
17 Michael Murphy.

18 MADAME CHAIR BAKER: Good morning. So,  
19 Mr. Murphy, you're looking to go to the transition  
20 class?

21 MR. MURPHY: Yes, ma'am.

22 MADAME CHAIR BAKER: All right.  
23 Commissioners, do you have any questions or discussion?  
24 He meets the standard if you're interested in a motion.

25 COMMISSIONER FORRESTER: Motion to approve.

1 COMMISSIONER WAGGONER: Second.

2 MADAME CHAIR BAKER: Motion and a second to  
3 approve. Any other discussion? (Pause) All in favor?  
4 (Aye) Opposed? (Pause) All right. Good luck.

5 MR. MURPHY: Thank you.

6 MADAME CHAIR BAKER: Green County Sheriff's  
7 Department request Patrick Rigney, hired February 7,  
8 2019, be allowed to attend the March 2019 POST  
9 Transition class at TLETA. He graduated from Walter  
10 State Community College Basic Law Enforcement Training  
11 Academy September, 2010, and was subsequently employed  
12 with White County until July, 2012. He was employed  
13 with Walker Louisiana Police Department in August, 2012,  
14 to January of 2019.

15 Good morning. Can you introduce yourselves  
16 please.

17 CHIEF DEPUTY BEVERLY: I'm Chief Deputy David  
18 Beverly.

19 MR. RIGNEY: I'm Patrick Rigney.

20 MADAME CHAIR BAKER: Good to meet you-guys.  
21 And, for the Commission, he does meet the standard. Any  
22 questions? Discussion? A motion?

23 COMMISSIONER FORRESTER: Motion to approve.

24 COMMISSIONER PARTIN: Second.

25 MADAME CHAIR BAKER: A motion and second to

1 approve. Any other discussion? (Pause) All in favor?  
2 (Aye) Opposed? (Pause) All right. Good luck.

3 MR. RIGNEY: Thank you.

4 MADAME CHAIR BAKER: UT Knoxville Police  
5 Department request Gregory Allen Bailey, hired, January  
6 2019, be allowed to attend The March 2019 POST  
7 Transition school at TLETA. In March 2011, Mr. Bailey  
8 graduated the Tennessee Law Enforcement basic police  
9 academy of TLETA. He was employed with Tennessee State  
10 University Police Department from September 2010 to  
11 October 2012. He was then employed with the University  
12 of Southern Maine Police Department from October 2012 to  
13 December 2018.

14 Good morning. Can you introduce yourselves  
15 please.

16 SERGEANT STONEROCK: I'm Sergeant Ashley  
17 Stonerock with UT Knoxville Police Department.

18 MR. BAILEY: I'm Greg Bailey with UT Police  
19 Department.

20 MADAME CHAIR BAKER: Thank you. Do we have  
21 any discussions or a motion? He does meet the standard.

22 COMMISSIONER WAGGONER: I make a motion to  
23 approve.

24 COMMISSIONER BIRCHFIELD: Second.

25 MADAME CHAIR BAKER: Motion and a second to

1 approve. Any discussion? (Pause) All in favor? (Aye)  
2 Opposed? (Pause) all right. Good luck.

3 MR. BAILEY: Thank you.

4 MADAME CHAIR BAKER: Claiborne County  
5 Sheriff's Office request Kris Michael Gulliver, hired  
6 September 2018, be allowed to attend the March 2019,  
7 POST Transition class at TLETA. In addition, additional  
8 request is for six-month waiver. Mr. Gulliver graduated  
9 Walter State Community College Basic Police Academy in  
10 December 1998. Mr. Gulliver was employed with Hancock  
11 County Sheriff's Office in Tennessee from 1997 to 2005  
12 and the Pembroke Pine Florida Police Department from  
13 2006 to 2016. Mr. Gulliver worked briefly with Bean  
14 Station Police Department from 2016 to 2017; however,  
15 resigned before attending a POST transition school.

16 Can you introduce yourselves, please.

17 LIEUTENANT RON HAYES: Lieutenant Ron Hayes,  
18 Claiborne County Sheriff's Office.

19 MR. GULLIVER: Deputy Kris Gulliver, Claiborne  
20 County Sheriff's Department.

21 MADAME CHAIR BAKER: All right. Any questions  
22 or discussions from board?

23 DIRECTOR GRISHAM: Just for the edification of  
24 the newer commissioners, when it comes to  
25 break-in-service rules, a certified officer's

1 certification after a break in service, tolls completely  
2 at ten years. The proposed change to that is to seven  
3 years in the new rules whenever they're promulgated.  
4 They can be inactive from zero to five years now and  
5 just take remedial training with the department and  
6 start back up again and reactivate their training. That  
7 is proposed to go down to three years.

8 For the five- to ten-year break, it requires a  
9 transition school here at TLETA or in the case of the  
10 departmental academy, like you approved Chattanooga,  
11 they can do a lateral school into that agency and  
12 reinstate their certification. So what you're doing  
13 here is approving him to go to transition school at  
14 TLETA, but he's got between a five- and a ten-year break  
15 in service. It will change to three and seven when the  
16 rules are finally promulgated. Thank you.

17 MADAME CHAIR BAKER: Do we have a motion?

18 GENERAL CHERRY: I move to approve.

19 COMMISSIONER WAGGONER: Second.

20 MADAME CHAIR BAKER: All right. And is your  
21 motion for the six-month waiver as well as the approval?

22 GENERAL CHERRY: Yes.

23 MADAME CHAIR BAKER: And the second?

24 COMMISSIONER WAGGONER: Same.

25 MADAME CHAIR BAKER: All right. Any other

1 questions or discussion? (Pause) All in favor? (Aye)  
2 Opposed? (Pause) All right. Good luck.

3 MR. GULLIVER: Thank you.

4 MADAME CHAIR BAKER: Spring City Police  
5 Department request Ethan Thomas Kelly, hired January  
6 2019, be allowed to attend the March 2019 POST  
7 Transition class at TLETA. MR. Kelly graduated the  
8 Cleveland State Police Academy on September 24, 2010.  
9 Mr. Kelly was employed with Spring City Police  
10 Department from 2011 to 2013.

11 Good morning. Can you introduce yourselves,  
12 please.

13 OFFICER FREDDIES: I'm Officer Lisa Freddie,  
14 Spring City Police Department, GDI.

15 MR. KELLY: Officer Ethan Kelly.

16 MADAME CHAIR BAKER: All right. Everything is  
17 in order from the investigators. Do we have questions  
18 or a motion?

19 COMMISSIONER FORRESTER: Motion to approve.

20 GENERAL CHERRY: Second.

21 MADAME CHAIR BAKER: Motion and a second to  
22 approve. Any other discussion? (Pause) All in favor?  
23 (Aye) Opposed? (Pause) All right. Good luck.

24 OFFICER FREDDIES: Thank you.

25 MADAME CHAIR BAKER: Algood Police Department

1 requesting that the POST Transition School be waived for  
2 Jason Lynn Winningham, hired January 31, 2019. Request  
3 is due to his history of law enforcement on June 18,  
4 1999. In addition, Mr. Winningham completed Tennessee  
5 Department of Safety Trooper Cadet School on May 19,  
6 2005. Mr. Winningham was employed with Crossville  
7 Police Department from November '98 to January '05,  
8 Tennessee Highway Patrol from January '05 to February  
9 2012 and Fairfield Glade Police Department from June  
10 2012 to April 2017 and again from November 2017 to  
11 February 2019.

12 Can you introduce yourselves, please.

13 LIEUTENANT WHITEFIELD: I'm Lieutenant Brian  
14 Whitefield.

15 MR. WINNINGHAM: I'm Officer Jason Winningham.

16 MADAME CHAIR BAKER: Thank you. So this break  
17 from service would have been for the THP time?

18 DIRECTOR GRISHAM: Yeah, '05 it was right  
19 before -- it's not considered a break in service, the  
20 highway patrol time. The highway patrol after 2006 is  
21 POST certified. Fairfield Glad is a private-duty  
22 special deputy position. Were you commissioned by --

23 MR. WINNINGHAM: I was.

24 DIRECTOR GRISHAM: -- Cumberland County while  
25 you were there?

1 MR. WINNINGHAM: I was.

2 DIRECTOR GRISHAM: That's a special act. If  
3 their officers meet POST guidelines, agree upon the  
4 standards and take their required annual training, the  
5 sheriff of Cumberland County gives them commission,  
6 similar to the Vanderbilt Police Department here, if  
7 they maintain their certification, their qualifications,  
8 then the chief of police gives them a commission. So  
9 that's not considered a break in service.

10 MADAME CHAIR BAKER: Mr. Mines?

11 ASST. DIRECTOR MINES: Yes. From 2012 when he  
12 got to Fairfield Glade up until present, he's maintained  
13 every year since he's been there.

14 MR. UNDERWOOD: A waiver of the transition  
15 school is what he's seeking, so he wouldn't go back to a  
16 transition school under the requirement.

17 GENERAL CHERRY: So that's not required?

18 MR. UNDERWOOD: That's what we're determining.  
19 He's asking for a waiver.

20 GENERAL CHERRY: I mean, so there's no  
21 transition school required so --

22 MR. UNDERWOOD: Well, possibly the transition  
23 could be require. If you calculated the time --

24 DIRECTOR GRISHAM: He's technically not POST  
25 certified at Fairfield, he's POST equivalent and must



1 prove that to maintain he's commission, but we don't  
2 track that currently, so you're just waiving that break  
3 in service. I don't think it should be considered a  
4 break in service, in my opinion.

5 GENERAL CHERRY: I'll move to approve the  
6 waiver.

7 COMMISSIONER BIRCHFIELD: Second.

8 MADAME CHAIR BAKER: Motion and a second to  
9 approve the waiver. Any other discussion? (Pause) All  
10 in favor? (Aye) Opposed? (Pause) All right. Good  
11 luck.

12 LIEUTENANT WHITEFIELD: The chief wanted me  
13 ask a question while I was here. New hires of a TBI  
14 agent that's went through their training, 14 weeks or  
15 whatever, are they eligible for the transition school or  
16 do they have to go back to --

17 DIRECTOR GRISHAM: State of Tennessee officers  
18 are not considered a break in service. If he was an  
19 agent in Georgia, yes.

20 LIEUTENANT WHITEFIELD: Thank you.

21 MR. UNDERWOOD: But he would have to obtain  
22 his POST certification. So he wouldn't necessarily have  
23 certification from POST commission as TBI agent. He'd  
24 be eligible, eligible. He could call our office and  
25 then we could get him his certification.

1           LIEUTENANT WHITEFIELD: So he's certification  
2 eligible is what he'd be?

3           DIRECTOR GRISHAM: Yes. Just apply for  
4 certification if he's never had one before. Apply to be  
5 reinstated if he or she happened be a local officer  
6 before they went to TBI.

7           LIEUTENANT WHITEFIELD: Thank you.

8           MADAME CHAIR BAKER: Cheatham County Sheriff's  
9 Office request David Diaz, hired January 29, 109, be  
10 allowed to attend the March 2019 POST Transition Class  
11 at TLETA. Mr. Diaz completed the basic law enforcement  
12 academy through the Florida Department in December 2010.  
13 He was then employed with the Osceola Sheriff's Office  
14 until December 2011.

15           Good morning. Can you introduce yourselves us  
16 please.

17           MR. DIAZ: I'm David Diaz.

18           DETECTIVE LANDESEN: I'm Detective Landesen of  
19 the GDI.

20           MADAME CHAIR BAKER: Nice to meet you-guys.  
21 All right. Any questions, discussions or a motion?

22           DIRECTOR GRISHAM: The academy you attended,  
23 was that FDLE?

24           MR. DIAZ: Yes, sir.

25           DIRECTOR GRISHAM: That's Florida Department

1 of Law Enforcement, it should say.

2 MADAME CHAIR BAKER: Thank you. And he does  
3 meet the requirements?

4 ASST. DIRECTOR MINES: Yes.

5 COMMISSIONER FORRESTER: Does he have enough  
6 EVOC? Because I know a lot of Florida cases in  
7 particular --

8 DIRECTOR GRISHAM: FDLE, yes. The community  
9 college, the 60 community colleges, no. They show them  
10 pictures of emergency vehicles.

11 MADAME CHAIR BAKER: All right. And I'm just  
12 being told that we are -- that he needs a six-month  
13 waiver. What was your hire date?

14 MR. DIAZ: Um...

15 MADAME CHAIR BAKER: Oh, it's here on the  
16 agenda.

17 MR. UNDERWOOD: We can combine that into one  
18 motion, if you'd like.

19 MADAME CHAIR BAKER: All right.

20 DETECTIVE LANDESEN: Hire date was September  
21 18th, 2018.

22 MADAME CHAIR BAKER: All right. So here, I'm  
23 going to read it so that we can combine it into one  
24 motion. Request -- now, this one says something  
25 different. (Reviewing documents.) Okay. Sorry, we

1 have a few things left on the agenda that we're getting  
2 straightened out.

3 All right. So it appears everything is in  
4 order for the six-month waiver. Any questions of  
5 discussion?

6 COMMISSIONER FORRESTER: I'll make a motion to  
7 approve the transition school and the six-month waiver.

8 GENERAL CHERRY: Second.

9 MADAME CHAIR BAKER: Thank you. Motion and a  
10 second to approve. Any other discussion? (Pause) All  
11 in favor? (Aye) Opposed? (Pause) All right. Good  
12 luck.

13 All right. So we have another one from  
14 Cheatham County Sheriff's Office, a Vincent Stanley  
15 Turner --

16 MR. TURNER: Yes, ma'am.

17 MADAME CHAIR BAKER: -- hired August 20th,  
18 2018, be allowed to attend the March 2019 POST  
19 Transition Class at TLETA. Mr. Turner completed basic  
20 academy on October 14th, 2012m at the Tennessee Law  
21 Enforcement Training Academy. He was then employed with  
22 the Montgomery County Sheriff's Department, Tennessee,  
23 October '11 to June of 2013. He was hired by the  
24 Cheatham County Sheriff's Office, Tennessee, on August  
25 20th of 2018.

1           So we're going to need a six-month waiver for  
2 this one as well and otherwise he meets the  
3 requirements.

4           COMMISSIONER FORRESTER: I'll make a motion to  
5 approve the transition school and the six-month waiver.

6           COMMISSIONER WAGGONER: I'll second.

7           MADAME CHAIR BAKER: A motion and a second to  
8 approve. Any other discussion? (Pause) All in favor?  
9 (Aye) Opposed? (Pause) All right. Gentlemen, good  
10 luck to you.

11          LIEUTENANT LANDESEN: Madame Chair, I have a  
12 question.

13          MADAME CHAIR BAKER: Yes, sir.

14          LIEUTENANT LANDESEN: Mr. Turner, when he left  
15 the Montgomery County Sheriff's Office, he went to  
16 teaching high school criminal justice. When we hired  
17 him in, it was like two to three months before we could  
18 put him on the road. We actually had him in the jail,  
19 and there was a different hire date, and it was like a  
20 month over his five-year mark.

21                 The question that he and I was wondering about  
22 was, him going to this transition school, should I have  
23 taken the time out to have made this motion for the  
24 transition school or should I have done -- seeked [sic]  
25 a waiver for just him not going to transition school

1 because he was still in a law enforcement, criminal law  
2 type thing, and it was like two months there of the  
3 five-year where he --

4 DIRECTOR GRISHAM: What this said was that he  
5 was two months shy of the five-year rule. But when did  
6 you hire him has a jailer?

7 LIEUTENANT LANDESEN: We hired him as in July  
8 of 2018, but we couldn't put him on the road because we  
9 hadn't passed our budget to add on all the new SRO's to  
10 the high school. So we had to wait until our budget got  
11 passed. Then once it got passed, then we sent him over  
12 to our SRO section from corrections, but then he was  
13 already passed his five-year mark in being a  
14 full-time --

15 DIRECTOR GRISHAM: You got him in July so that  
16 would have been a month prior to the five-year rule  
17 kicking in. Did he do inservice immediately?

18 LIEUTENANT LANDESEN: He did. Both -- both of  
19 the officers went through inservice September 24th  
20 through the 28th. That was my next inservice that I  
21 could put them in to.

22 DIRECTOR GRISHAM: What date?

23 LIEUTENANT LANDESEN: September 24th through  
24 the 28th, I put both officers in inservice during that  
25 time, because when they came in I was able to put them

1 in that next class, the next available class that I had  
2 with my department because my August class was already  
3 full.

4 DIRECTOR GRISHAM: What were his duties from  
5 July to August?

6 LIEUTENANT LANDESEN: From July to August  
7 before he went on the road, he was a corrections officer  
8 in our jail.

9 DIRECTOR GRISHAM: Mr. Turner, did you do  
10 inservice for the criminal justice program that you  
11 taught for, the teacher inservice?

12 MR. TURNER: Yes, sir. We have to do so many  
13 hours a year.

14 DIRECTOR GRISHAM: Did you do that law  
15 enforcement professor thing?

16 MR. TURNER: Yes. Technically, I was hired at  
17 Cheatham County, like he said, the budget wasn't  
18 approved so I was waiting for a position. The only  
19 reason I took the corrections officer position was  
20 because I wanted a paycheck while waiting.

21 LIEUTENANT LANDESEN: He gave up his tenure as  
22 a high school criminal justice teacher in Montgomery  
23 County when he came.

24 DIRECTOR GRISHAM: For historical purposes,  
25 there's about 300 former law enforcement officers that

1 teach high school criminal justice, and we designed a  
2 program for them to retain their currency, if you will,  
3 because the department of education asked them to retain  
4 -- ask professional teachers to retain their license,  
5 like lawyers have to keep their license if they teach in  
6 criminal justice. So we designed this program, and he  
7 did that while he was a teacher, correct?

8 MR. TURNER: Yes, sir.

9 DIRECTOR GRISHAM: So you have accepted that  
10 as not a break in service in the past, is the only thing  
11 I'll say.

12 MR. UNDERWOOD: And, historically, it's five  
13 days -- it's five years exactly. It's tight, there's  
14 not one day -- one hour or one day over or whatever that  
15 would make you have to go back. He's really close here,  
16 so it's a determination for the commission.

17 MADAME CHAIR BAKER: Would the fact that he  
18 was hired from July to August of 2018 as a jailer  
19 instead of as a police officer, make a difference in that  
20 -- it's only a month, but his break -- you know, his  
21 five years is so close?

22 COMMISSIONER PARTIN: Let me ask this  
23 question, was your intent to be a POST certificated  
24 officer when you walked in to the door of the agency  
25 when you left the high school?



1           MR. TURNER: Yes, sir. I was hired as an SRO  
2 and we were waiting for the budge to be set, and the  
3 budget took a little longer, so I took a position as a  
4 jailer for income.

5           COMMISSIONER PARTIN: I think the intent of  
6 the department -- I understand the intent, we all have  
7 to reallocate positions sometimes to accomplish our  
8 final goals, and governing bodies, of course, against  
9 law enforcement, aka, county commissions and city  
10 aldermen, have a tendency to cause us to have to get  
11 creative. So it's my intent, I would make a motion to  
12 the board that we -- that we allow this officer to not  
13 have to go to the transition school.

14           COMMISSIONER SPANGLER: I'll second that.

15           MADAME CHAIR BAKER: Do we have any discussion  
16 on this? I think I would exercise caution on intent  
17 versus the reality of the five-year rule because there's  
18 been a lot of flexibility on that. I think what  
19 Director Grisham had talked about with the training and  
20 the teachers, makes a difference, in my opinion on that.

21           GENERAL CHERRY: I have great sympathy for the  
22 predicament that the officer is in but when we look at  
23 these time crunches, I mean, they're pretty specific,  
24 and pretty much written in stone. And if he went into a  
25 position as a jailer, that's not considered a law

1 enforcement position. So I think that's kind of been  
2 our position. I would love to grant him a waiver but I  
3 just don't know if we can do that and still be  
4 consistent with what we've done in the past and  
5 consistent and what the rules require.

6 COMMISSIONER FORRESTER: The high school  
7 program that was mentioned, are those teachers  
8 technically POST certified while they're teaching?

9 DIRECTOR GRISHAM: No. They leave law  
10 enforcement and they teach high -- you know, the  
11 criminal justice teachers in our public schools tend to  
12 be either attorneys or retired judges or retired law  
13 enforcement officers or former law enforcement officers.  
14 So it's possible for the attorneys to keep their  
15 licenses, and then there's some health-related teachers  
16 that keep their medical license.

17 So Education asked the academy and POST to  
18 come up with some minimum thing to keep their license  
19 viable, if you will, just as with other professions. So  
20 that's what -- the training -- we actually conducted it  
21 here a couple of years. Did you ever attend it here.

22 MR. TURNER: Yes, sir. Generally, it's  
23 because if the SRO is out of the building, you're  
24 considered the second SRO because of our law enforcement  
25 training.

1           COMMISSIONER PARTIN: I have -- from a  
2 personal aspect, I have two former deputies and officers  
3 in my county that I commission and I utilize them as a  
4 backup SRO. The school system particularly came to me  
5 and requested me to commission them and to -- into the  
6 same position. And I understand this department's  
7 dilemma. I think -- you know, I understand what Commissioner  
8 Cherry is saying about the letter of the law, and I  
9 understand what the Chairman is saying about the word  
10 "intent," but I strongly urge this board to consider  
11 this.

12           In today's time, I would just like to see  
13 that, you know, it is what it is on the face value here,  
14 and these departments, these smaller departments are  
15 having a hard time coming up with funding and their  
16 getting budgets passed. It sounds like that budget was  
17 being passed late in the year. You knew what you were  
18 going to do when you -- when your agencies hired you.

19           MR. TURNER: Yes, sir. I was hired to be an  
20 SRO.

21           COMMISSIONER PARTIN: And it's just  
22 unfortunate that you got, quote, unquote, classified as  
23 a corrections officer and was working corrections  
24 duties. We're all deputy sheriffs at the end of the  
25 day.

1 MR. TURNER: Yes, sir. Like I said, I needed  
2 income. I didn't want to wait without income until the  
3 budget passed so I took that position.

4 COMMISSIONER PARTIN: I stand with my motion I  
5 made earlier.

6 MADAME CHAIR BAKER: Were you a commissioned  
7 officer or deputy at the time that you were acting as an  
8 SRO-type position?

9 LIEUTENANT LANDESEN: When they're brought in  
10 under the corrections side of it, we knew that he was  
11 going to be an SRO, so he received his commission, a  
12 card, he was deputized -- or he was sworn in by the  
13 judge, and directly from there, he went with me to the  
14 range where I qualified him, and had he needed to make  
15 any arrests, his commission card allowed him to still  
16 make arrests --

17 MADAME CHAIR BAKER: And that's a Tennessee  
18 POST Commission?

19 MR. UNDERWOOD: He already had his commission  
20 card. He's just at the five years or right at that  
21 five-year mark. He's got the ten years -- he's  
22 certified POST certification, it's just going for the --

23 LIEUTENANT LANDESEN: Yes, his deputy  
24 commission card, not POST commission.

25 MR. UNDERWOOD: All right. His POST

1 certification was always active -- I mean it wasn't  
2 active, that's what we're dealing with, that inactive  
3 period in considering that five years, because he's  
4 right at the mark. If you give him the credit for the  
5 training, he'd be underneath it. If he doesn't, then  
6 it's kind of right over it.

7 MADAME CHAIR BAKER: And if during that month  
8 he's on officer, commissioned, that --

9 MR. UNDERWOOD: With the power to arrest and  
10 so forth.

11 MADAME CHAIR BAKER: Right.

12 MR. UNDERWOOD: Then you can consider that.

13 MADAME CHAIR BAKER: And that may be --

14 MR. UNDERWOOD: That would bring him under the  
15 five-year mark.

16 MADAME CHAIR BAKER: That would bring him  
17 under the five-year rule.

18 All right. Any other questions? Discussion?  
19 Yes, sir.

20 GENERAL CHERRY: So just so I understand, our  
21 legal counsel is saying that we would be justified under  
22 the rule in granting this waiver?

23 MR. UNDERWOOD: Yes. You can waive the  
24 transition school regarding this because if you so  
25 determine that he was under the five-year mark. That's

1 what we're really determining, in his situation, what it  
2 was, is he getting credit for what he was doing as an  
3 SRO to be under that considered break in service.

4 GENERAL CHERRY: So if we consider him SRO,  
5 even though he was employed at the jail in corrections,  
6 we're kind of considering that in a dual capacity, a  
7 commissioned police officer working at the jail; is that  
8 right?

9 MR. UNDERWOOD: Yes. If that's what you-all  
10 so determine.

11 GENERAL CHERRY: Okay.

12 MADAME CHAIR BAKER: Anything else? We have a  
13 motion on the table.

14 MR. UNDERWOOD: And to be clear, currently, he  
15 is scheduled to go to the transition school. You-all  
16 approved him going to that. Now, at this point, the  
17 vote would be to say, well, you don't need to go to  
18 transition school because of this training, that you've  
19 determined from information. That's what the motion and  
20 second was, to waive and that he can go straight into  
21 active duty for the agency.

22 MADAME CHAIR BAKER: And is that your motion?

23 COMMISSIONER PARTIN: My motion is to waive  
24 him from having to go to the transition school, save  
25 him that trip.

1 MADAME CHAIR BAKER: Thank you. And the  
2 second?

3 COMMISSIONER SPANGLER: And that was my  
4 second.

5 MADAME CHAIR BAKER: And your second  
6 understands that. All right. Any other discussion?  
7 (Pause) All in favor? (Aye) Opposed? (Pause) All  
8 right. Congratulations.

9 MR. TURNER: Thank you.

10 MADAME CHAIR BAKER: Tennessee State Parks  
11 request Ray Eugene Brundege be allowed to attend the  
12 March 2019 POST Transition Class at TLETA. Mr. Brundege  
13 attended and completed 640 hours of basic training at  
14 the Robert F. Joyce School of Justice.

15 Where is that?

16 ASST. DIRECTOR MINES: It is Mississippi, I  
17 believe. I'm not sure, actual state but I actually  
18 remember that because --

19 MADAME CHAIR BAKER: All right. And that's in  
20 Mississippi. So everything appears to be in order.  
21 Does anyone want to make motion?

22 GENERAL CHERRY: I move to approve.

23 COMMISSIONER FORRESTER: Second.

24 COMMISSIONER PARTIN: Second.

25 MADAME CHAIR BAKER: Motion and a second to

1 approve. Any other discussion? (Pause) All in favor?  
2 (Aye) Opposed? (Pause) All right. Motion passes.

3 Williamson County Sheriff's Office request  
4 Cody Allen Salyards be allowed to attend the March 2019  
5 POST Transition Class at TLETA. Mr. Salyards was hired  
6 with Williamson County Sheriff's Office on January 9th,  
7 2019. He's completed a basic law enforcement academy at  
8 the Highway Patrol Academy on December 4th, 2009, while  
9 employed by the California Highway Patrol June 2009 to  
10 December 2019 -- 2018. It's 2018, right?

11 CAPTAIN KING: Yes, ma'am.

12 MADAME CHAIR BAKER: All right. So good  
13 morning. Can you introduce yourselves please.

14 CAPTAIN KING: Captain Rodney King, Williamson  
15 County Sheriff's Office.

16 MADAME CHAIR BAKER: Hi, Captain.

17 MR. SALYARDS: Deputy Cody Salyards.

18 DEPUTY KRAEMER: Deputy Lance Kraemer.

19 MADAME CHAIR BAKER: Good morning, Deputy.

20 MR. UNDERWOOD: And for the Commissioners,  
21 this is -- normally, when we have officers here from out  
22 of state here certified, we require them to come and  
23 appear to go to the transition school to be familiar  
24 with the Tennessee laws and so forth that would be  
25 specific to this state.



1 COMMISSIONER: Motion to approve.

2 COMMISSIONER PARTIN: Second.

3 MADAME CHAIR BAKER: Motion and a second to  
4 approve. Any other discussion? (Pause) All in favor?  
5 (Aye) Opposed? (Pause) All right. Good luck.

6 Okay. And Williamson County Sheriff's Office  
7 request Lance Daniel Kraemer be allowed to attend the  
8 March 2019 POST Transition Class at TLETA.  
9 Mr. Kraemer's date of employment was November 29, 2018.  
10 Mr. Kraemer was previously completed a basic law  
11 enforcement training course at The St. Augustine  
12 Technical Center on March 24, 1992. Mr. Kraemer was  
13 employed by the Green Cove Spring PD, Florida, as a law  
14 enforcement officer from January of '93 to March of '99.  
15 Mr. Kraemer was also employed as a law enforcement  
16 officer from March of '99 to June of '18 with the Clay  
17 County Sheriff's Office, Florida. Additional 40 hours of  
18 EVOC are required.

19 So has that been scheduled yet?

20 CAPTAIN KING: Yes, ma'am. Scheduled next  
21 week here.

22 MADAME CHAIR BAKER: Okay. Great. All right.  
23 Everything else appears to be in order. St. Augustine  
24 is probably my favorite city. Any other questions or  
25 discussion? A motion?

1 COMMISSIONER WAGGONER: Move to approve.

2 SENATOR JACKSON: Second.

3 MADAME CHAIR BAKER: Motion and a second to  
4 approve. Any other discussion? (Pause) All in favor?  
5 (Aye) Opposed? (Pause) All right. Good luck.

6 CAPTAIN KING: Thank you, Commission.

7 MADAME CHAIR BAKER: Savannah Police  
8 Department request Nicholas Taylor be allowed to attend  
9 the March 2019 POST Transition Class at TLETA.  
10 Mr. Taylor will need 30 hours of EVOC prior to attending  
11 transition class. Mr. Taylor attended and completed 577  
12 hours of basic training at Black River Technical College  
13 in Pocahontas, Arkansas, 2017.

14 Good morning. Can you introduce yourselves  
15 please.

16 ALAN STOWING: I'm Alan Stowing (phonetic)  
17 representing the Savannah Police Department.

18 MR. TAYLOR: Rodney [verbatim] Taylor.

19 MR. HOOPER: I'm Alan Hooper.

20 MADAME CHAIR BAKER: Nice to meet you. And  
21 everything else appears to be in order. All right. Do  
22 we have a motion? Questions? What's the pleasure of  
23 the Commission?

24 GENERAL CHERRY: Motion to approve.

25 COMMISSIONER PARTIN: Second.

1           MADAME CHAIR BAKER: Motion and a second to  
2 approve. Any other discussion? (Pause) All in favor?  
3 (Aye) Opposed? (Pause) All right. Good luck.

4           MR. UNDERWOOD: Commission Members, the  
5 statutes or reviews that I've seen, the officers, they  
6 review their training records to see if there's any  
7 deficiencies that would be required here in TLETA or any  
8 other academies here in Tennessee, and you'll see a  
9 notation regarding extra EVOC that would be required  
10 from previous training. There could be other things,  
11 but it tends to be EVOC that do before the transition  
12 school.

13           MADAME CHAIR BAKER: All right. Request Alan  
14 Tomas Hooper be allowed to take the March 2019 POST  
15 Transition Class at TLETA. Mr. Hooper attended and  
16 completed 480 hours at the Northeast Alabama Law  
17 Enforcement Academy in 2012. He has the total required  
18 hours need for POST transition school; however, he will  
19 need an additional 13 hours of EVOC prior to attending  
20 training. Additionally, Mr. Hooper's DD-214 can be  
21 administratively waived and does not required any  
22 further actions.

23                   Has his EVOC been scheduled already?

24           MR. STOWING: YES.

25           MADAME CHAIR BAKER: All right. So everything

1 else is in order.

2 GENERAL CHERRY: Move to approve.

3 COMMISSIONER FORRESTER: Second.

4 MADAME CHAIR BAKER: Motion and a second to  
5 approve. Any other discussion? (Pause) All in favor?  
6 (Aye) Opposed? (Pause) All right. Thank you. Good  
7 luck to you.

8 MR. STOWING: Thank you.

9 MADAME CHAIR BAKER: The University of  
10 Tennessee at Chattanooga Police Department request Ross  
11 Richard Brenza be allowed to attend the March 2019 POST  
12 Transition Class at TLETA. Mr. Brenza's date of hire is  
13 March 18, 2019. In March of 1985, he completed 400  
14 hours of basic training at the Cook County Sheriff's  
15 Police Department. In June of 2002, Mr. Brenza  
16 completed 400 hours at the FBI National Academy.

17 Mr. Brenza, can you tell me about your  
18 employment history to include the dates?

19 MR. BRENZA: Good morning. I started my  
20 career with the Village of Lemont in 1985 it was January  
21 of 1985 un the end of May of 1987. At that time I  
22 switched departments, went over to the Village of  
23 Westmont, where I was employed from June of '87 through  
24 August -- early September of 2017. During that time I  
25 was a patrol officer, I was a truck enforcement officer,

1 and I wound up retiring as a deputy chief of police. And  
2 currently I'm with the Moraine Valley Community College  
3 Police in Palos Hills Illinois.

4 MADAME CHAIR BAKER: And I apologize, I didn't  
5 ask the gentlemen from UT Chattanooga to introduce  
6 themselves.

7 DEPUTY CHIEF HAMILTON: Deputy Chief Craig  
8 Hamilton with UT Chattanooga.

9 MADAME CHAIR BAKER: Deputy Chief, thank you.

10 DEPUTY CHIEF HAMILTON: Yes, ma'am. I need to  
11 amend our request to not attend this transition school  
12 but the next one. In the paperwork that I sent up to  
13 the Commission we had a hard time getting his  
14 information with the Cook County Sheriff's Police  
15 Academy and that caused a delay, and so we're going to  
16 have to amend Mr. Brenza's start date so he can complete  
17 working out a notice with his current employer.

18 So we would request that he attend the next  
19 available transition school which I believe is September  
20 22nd, unless it didn't get posted.

21 DIRECTOR GRISHAM: When's his hire date going  
22 to be, then?

23 DEPUTY CHIEF HAMILTON: We're looking mid  
24 April. He still has to to move down from Illinois.

25 Madame Chairman, if you also please, my chief

1 also asked once Mr. Brenza has completed our minimum of  
2 six weeks of field-training program, will he still be  
3 required to be paired with another officer before  
4 attending the transition school.

5 DIRECTOR GRISHAM: Is he certified in  
6 Illinois?

7 DEPUTY CHIEF HAMILTON: Yes, sir. He's  
8 currently certified.

9 DIRECTOR GRISHAM: It's been your practice in  
10 the past to let certified officers work alone.

11 MR. UNDERWOOD: There needs to be a motion,  
12 though. We all understand it will be six months of  
13 driving alone as well as transition school.

14 MADAME CHAIR BAKER: Do we have anything else  
15 from the Commission? (Pause) So do we have a motion to  
16 include the POST transition class, the six-month waiver  
17 and riding alone after training is complete?

18 COMMISSIONER FORRESTER: I'll make a motion  
19 to include all three.

20 COMMISSIONER PARTIN: Second.

21 MADAME CHAIR BAKER: We have a motion and a  
22 second. Any other discussion?

23 COMMISSIONER PARTIN: Just curious, what are  
24 you going to be doing at UTC?

25 DEPUTY CHIEF HAMILTON: Mr. Brenza has been

1 hired as patrol officer. He's currently working at  
2 Moraine Valley Community College as a patrol officer.  
3 So he's patrol -- going to be a patrol officer and I  
4 hope he wants to climb the chain again because we need  
5 him.

6 COMMISSION PARTIN: Good to see see. Welcome  
7 to Tennessee.

8 MR. BRENZA: Thank you, sir.

9 MADAME CHAIR BAKER: Ready to vote? (Pause)  
10 All in favor? (Aye) Opposed? (Pause) All right.  
11 Good luck.

12 Shelby County Sheriff's Office request  
13 Philipae Antron Cherry's attendance to the Shelby County  
14 POST Transition calls be approved. Note: Due to  
15 completing the Shelby County Reserve Basic, has already  
16 completed their POST Transition School. Shelby County  
17 Sheriff's Office held a POST Training Transition School,  
18 176 hours, on January 4th, 2019.

19 Good morning. Can you introduce yourselves,  
20 please.

21 CAPTAIN MORRIS: Captain Bennet Morris with  
22 Shelby County Sheriff's Office.

23 CHIEF INSPECTOR CALHALL: Chief Inspector  
24 Mark Calhall (phonetic), Shelby County Sheriff's Office.

25 MR. CHERRY: Philipae Cherry.

1           MADAME CHAIR BAKER: All right. Everything  
2 appears to be in order. Do we have any questions or  
3 discussions?

4           COMMISSIONER PARTIN: Motion to approve

5           COMMISSIONER WAGGONER: Second.

6           MADAME CHAIR BAKER: Motion and a second to  
7 approve. Any discussion?

8           COMMISSIONER FORRESTER: This individual,  
9 were they formerly a full-time law enforcement officer?

10          CAPTAIN MORRIS: No, sir.

11          COMMISSIONER FORRESTER: Have they gone  
12 through the 4 hundred and --

13          CAPTAIN MORRIS: Yes, sir, 659.

14          COMMISSIONER FORRESTER: How long has it been?

15          MR. CHERRY: Last year.

16          COMMISSIONER FORRESTER: Last year. All  
17 right.

18          MADAME CHAIR BAKER: We have a motion and a  
19 second on the table. Any other discussion? (Pause)  
20 All in favor? (Aye) Opposed? (Pause) All right.

21                 Next on your list is Elizabeth Nicole Falch's  
22 attendance to the Shelby County POST Transition class be  
23 approved. Note: Due to completing the Shelby County  
24 Reserve Basic, has already completed their POST  
25 Transition School. Shelby County Sheriff's Office held



1 a POST Training Transition School, 176 hours, on January  
2 4th, 2019.

3 COMMISSIONER FORRESTER: Did this person  
4 complete the full academy last year too?

5 CAPTAIN MORRIS: Last year too.

6 COMMISSIONER FORRESTER: To make it easy, did  
7 everybody complete the --

8 CAPTAIN MORRIS: Yes, sir. They were in the  
9 last group that we had, our Reserve class.

10 COMMISSIONER FORRESTER: Okay.

11 COMMISSION WAGGONER: Motion to approve.

12 COMMISSIONER PARTIN: Second.

13 MADAME CHAIR BAKER: We have a motion and a  
14 secon to approve. Any other discussion?

15 COMMISSIONER FORRESTER: With them completing  
16 the full reserve academy last year, do they really need  
17 to go to transition school or need this waiver?

18 DIRECTOR GRISHAM: You've accepted it in the  
19 past, full basic.

20 COMMISSIONER FORRESTER: I make a -- go  
21 ahead, we have a motion on the floor.

22 MADAME CHAIR BAKER: Motion and a second to  
23 approve. Any other discussion? (Pause) All in favor?  
24 (Aye) Opposed? (Pause) All right.

25 All right. Request Brittney Lauren

1 Fitzpatrick's attendance to the Shelby County POST  
2 Transition Class be approved. Fitzpatrick's date of  
3 employment with Shelby County Sheriff's Office is  
4 December 3rd, 2018. Fitzpatrick worked out of state  
5 with West Memphis Police Department, Arkansas from  
6 February '07. 2018 to December 03. 2018. Fitzpatrick  
7 has already completed the Shelby County POST Transition  
8 School. Shelby County Sheriff's Office held a POST  
9 Training Transition School in 2019.

10 COMMISSIONER FORRESTER: Fitzpatrick did  
11 complete the full basic academy, right?

12 CAPTAIN MORRIS: In Arkansas and when she got  
13 to us I knew that from prior experience, EVOC and  
14 defensive tactics were two things that a lot of their  
15 academies lacked and we went way above and beyond on  
16 hers. She's completed -- due to some issues we've had,  
17 this group right here has completed almost 500 hours in  
18 transition school.

19 COMMISSIONER FORRESTER: Motion to approve.

20 GENERAL CHERRY: Second.

21 MADAME CHAIR BAKER: Motion and a second to  
22 approve. Any other discussion? (Pause) All in favor?  
23 (Aye) Opposed? (Pause)

24 All right. Request Toney Earl Taylor  
25 attendance to the Shelby County POST Transition class be

1 approved. Note: Due to completing the Shelby County  
2 Reserve Basic, has already completed their POST  
3 Transition School. Shelby County Sheriff's Office held  
4 a POST Training Transition School, 176 hours, on January  
5 4th, 2019. Mr. Taylor's date of employment is December  
6 of 2018.

7 COMMISSIONER WAGGONER: Motion to approve.

8 COMMISSIONER BIRCHFIELD: Second.

9 MADAME CHAIR BAKER: Motion and a second to  
10 approve. Any other discussion? (Pause) All in favor?  
11 (Aye) Opposed? (Pause) All right.

12 And request Munim Hassan Haydari's attendance  
13 to the to the Shelby County POST Transition class be  
14 approved. Note: Due to completing the Shelby County  
15 Reserve Basic, has already completed their POST  
16 Transition School. Shelby County Sheriff's Office held  
17 a POST Training Transition School, 176 hours, on January  
18 4th, 2019.

19 COMMISSIONER WAGGONER: Motion to approve.

20 SENATOR JACKSON: Second.

21 MADAME CHAIR BAKER: Motion and a second to  
22 approve. Questions of discussion? (Pause) All in  
23 favor? (Aye) Opposed? (Pause) All right.

24 So it's always best to ask for a waiver before  
25 the transition school happens. So makes it easier for

1 everyone, I believe.

2 CAPTAIN MORRIS: Yes, ma'am.

3 MR. UNDERWOOD: We have a Shelby County  
4 involved on page 10 regarding the annual report. Just  
5 was to point that out in case there's any questions, the  
6 Commission or the Assistant Director may comment on the  
7 Shelby County Sheriff's Office, the annual report to be  
8 approved.

9 MADAME CHAIR BAKER: All right. On page 10,  
10 shall we jump to page 10 in case there's question or  
11 does anyone want to make a motion on that? Comment?

12 MR. UNDERWOOD: Everything's in order?

13 ASST. DIRECTOR MINES: Yes, sir.

14 MR. UNDERWOOD: Okay.

15 MADAME CHAIR BAKER: Do we have a motion to  
16 approve the Shelby County 2018 Annual Report?

17 COMMISSIONER PARTIN: Motion to approve.

18 COMMISSIONER WAGGONER: Second.

19 MADAME CHAIR BAKER: Motion and a second to  
20 approve. Any other discussion? (Pause).

21 Do you want to make a comment on your annual  
22 report?

23 CAPTAIN MORRIS: No, ma'am. This year and last  
24 year have been a trying time.

25 MADAME CHAIR BAKER: All in favor of

1 approving the annual report? (Aye) Opposed? (Pause)

2 All right. Thank you.

3 CAPTAIN MORRIS: Thank you so much.

4 MADAME CHAIR BAKER: Anderson County Sheriff's  
5 Department request Kevin Thomas Thacker be allowed to  
6 attend the March 2019, POST Transition Class at TLETA  
7 due to a five-year break in service. Mr. Thacker  
8 competed basic academy at the Virginia Southwest Law  
9 Enforcement Academy in 2001. Mr. Thacker received a  
10 Tennessee POST Certification October 2003, after  
11 completing the Tennessee POST Test. Mr. Thacker's date  
12 of employment with Anderson County is March 2009 --  
13 2019, sorry.

14 All right. Everything's in order?

15 ASST. DIRECTOR MINES: Yes, ma'am.

16 MADAME CHAIR BAKER: All right. Questions or  
17 a motion?

18 GENERAL CHERRY: Move to approve.

19 COMMISSIONER WAGGONER: Second.

20 MADAME CHAIR BAKER: We have motion and a  
21 second to approve.

22 COMMISSIONER FORRESTER: When was the last  
23 date of law enforcement employment in Tennessee?

24 UNKNOWN SPEAKER: He last worked in Tennessee  
25 Law Enforcement, end date was September 13th, 2010.

1           MADAME CHAIR BAKER: My sincere apologies. I  
2 think I'm getting tired. Can you introduce yourselves,  
3 please.

4           SERGEANT OWENS: I'm Sergeant Owens, Anderson  
5 County Sheriff's Department.

6           MR. THACKER: Kevin Thacker, Anderson County  
7 Sheriff's Office.

8           MADAME CHAIR BAKER: All right. Motion and a  
9 second on the floor to approve. Any other discussion?  
10 (Pause) All in favor? (Aye) Opposed? (Pause) All  
11 right. Thank you so much. Congratulations.

12           SERGEANT OWEN: Thank you.

13           MADAME CHAIR BAKER: Petersburg Police  
14 Department request Matthew David Griffy date of  
15 employment February 1, 2019, be allowed to attend the  
16 March 2019, POST Transition Class at TLETA. Mr. Griffy  
17 completed TLETA basic academy October 8th, 2004.  
18 Mr. Griffy has been out of law enforcement for over five  
19 years.

20           Good morning. Can you introduce yourself.

21           CHIEF CLAU (phonetic): Chief Kayden Clau  
22 (phonetic), Petersburg Police Department. Madam  
23 Chairman, Mr. Griffy is here. He had to go to the  
24 restroom, he should be right back.

25           MADAME CHAIR BAKER: Is it okay if we go on

1 without him?

2 CHIEF CLAU: That'd be fine.

3 COMMISSIONER FORRESTER: When did he leave  
4 law enforcement?

5 CHIEF CLAU: 2010.

6 SENATOR JACKSON: Motion to approve.

7 GENERAL CHERRY: Second.

8 MADAME CHAIR BAKER: Motion and a second to  
9 approve. Any other discussion? (Pause) All in favor?  
10 (Aye) Opposed? (Pause) All right. Mr. Griffy, you've  
11 been approved. Congratulations.

12 MR. GRIFFY: I'm sorry, I had to go to the  
13 restroom.

14 MADAME CHAIR BAKER: Good luck to you.

15 Murfreesboro Police Department request  
16 Nathaniel Lee Lombard, date of employment 12/10/18, be  
17 allowed to attend the March 2019, POST Transition Class  
18 at TLETA. Mr. Lombard completed police academy training  
19 with the Texas Commission on Law Enforcement in June on  
20 2007.

21 Good morning. Can you introduce yourselves,  
22 please.

23 MR. LOMBARD: Nathaniel Lombard, Murfreesboro  
24 Police Department.

25 SERGEANT LEMANSKI: Sergeant Justin Lemanski.

1 MADAME CHAIR BAKER: All right. Everything  
2 is in order from the POST Commission?

3 ASST. DIRECTOR MINES: Yes.

4 MADAME CHAIR BAKER: Any questions?  
5 Discussion? Motion?

6 GENERAL CHERRY: Move to approve.

7 COMMISSIONER SPANGLER: Second.

8 MADAME CHAIR BAKER: Motion and a second to  
9 approve. Any other questions? Discussion? Oh, yes,  
10 sir?

11 SERGEANT LEMANSKI: He was short eight hours  
12 on EVOC. He's got the 16 hours from our department.  
13 I'll get the certificate and enter it in Acadis for  
14 reflection.

15 MADAME CHAIR BAKER: Thank you for noting  
16 that. All right. We have a motion and a second to  
17 approve. All in favor? (Aye) Opposed? (Pause) All  
18 right. Thank you. Good luck.

19 SERGEANT LEMANSKI: Thank you.

20 MADAME CHAIR BAKER: Sevierville Police  
21 Department requested Victor Gillooly, hired February  
22 19th, 2019, be allowed to attend the March 2019, POST  
23 Transition Class at TLETA. Ms. Gillooly completed the  
24 Basic Recruit Academy in Florida in 2013 with 770 hours  
25 of basic training. Ms. Gillooly was employed by the



1 Osceola County Sheriff's Office from March 21st, 2016 to  
2 February 12, 2019.

3 Good morning. Can you introduce yourselves,  
4 please.

5 MS. GILLOOLY: Victoria Gillooly.

6 CAPTAIN HINSON: Sam Hinson, Captain,  
7 Sevierville Police Department.

8 MR. FINCHUM: David Finchum, Captain,  
9 Sevierville Police Department.

10 MADAME CHAIR BAKER: All right. And POST  
11 Investigators have got this on the list of things that  
12 meet the criteria. Anything from the Commission?

13 COMMISSIONER SPANGLER: Motion to approve.

14 COMMISSIONER FORRESTER: Second.

15 MADAME CHAIR BAKER: Motion and a second to  
16 approve. Any other discussion? (Pause) All in favor?  
17 (Aye) Opposed? (Pause) All right. Good luck.

18 CAPTAIN HINSON: Thank you very much.

19 MADAME CHAIR BAKER: Waiver of In-Service Rule  
20 11 10-09-.05 Requests for a waiver have been received  
21 for the following officers so that they will remain in  
22 compliance with the POST guidelines as well as the  
23 department. They are not eligible for salary  
24 supplement.

25 Jasper Police Department request an in-service

1 for Christopher Goad, who failed to complete all of 2018  
2 in-service training.

3 Good morning. Can you introduce yourselves,  
4 please.

5 LIEUTENANT EVANS: Scott Evans, Lieutenant,  
6 Jasper Police.

7 CHIEF MASON: Billy Mason, Chief, Jasper  
8 Police Department.

9 MR. GOAD: Chris Goad, Patrolman.

10 MADAME CHAIR BAKER: Mr. Goad, what happened?  
11 Why didn't you finish in-service?

12 MR. GOAD: I wasn't in law enforcement last  
13 year -- well, I was last year from August to --

14 CHIEF MASON: He was hire in our department at  
15 the end of August, and it was just -- I dropped the ball  
16 and he just wasn't -- he's completed in-service for  
17 2019, as of February.

18 MADAME CHAIR BAKER: All right and you  
19 understand you won't get an in-service patch?

20 MR. GOAD: Yeah.

21 MADAME CHAIR BAKER: Any other questions or  
22 discussion? (Pause) Do we have a motion to keep the  
23 department in compliance?

24 COMMISSION WAGGONER: I make a motion to  
25 approve.

1 COMMISSIONER BIRCHFIELD: Second.

2 MADAME CHAIR BAKER: Motion and a second to  
3 approve. Any other discussion? (Pause) All in favor?  
4 (Aye) Opposed? (Pause) All right. Thank you. Good  
5 luck.

6 CHIEF MASON: Thank you.

7 MADAME CHAIR BAKER: Montgomery County  
8 Sheriff's Office request waiver for shortage of  
9 in-service hours in 2018.

10 Good morning. Can you introduce yourselves,  
11 please.

12 CAPTAIN STONE: Yes, ma'am. I'm Captain John  
13 Stone, General Department Instructor, Montgomery County  
14 Sheriff's Office.

15 SHERIFF FUSON: I'm Sheriff John Fuson,  
16 Montgomery County.

17 MADAME CHAIR BAKER: Good morning. Can you  
18 talk about the shortage please?

19 CAPTAIN STONE: Yes, ma'am, I can. Early last  
20 year we submitted in-service under two different plans.  
21 There was a 13-hour plan for our firearms, which  
22 included a four-hour active-shooter response block.  
23 Under the 32 hour classroom and practical exercise class  
24 plan which was submitted in early 2018, there was the  
25 same active-shooter class block. We went through the

1 year, everything was good. On our firearms we qualify  
2 on a quarterly basis in order to maintain consistency  
3 throughout the year in shooter skill.

4 At the end of the fourth -- or beginning of  
5 the fourth quarter, our range, which we do not own, we  
6 -- a person volunteers, its use to us, it was sold, he  
7 was leases the land that the range was on, and it was  
8 sold. We thought that we were going to be able to  
9 recoup the year and still use the land, but construction  
10 began and we were not able to make our fourth-quarter  
11 firearms for the outdoor four-hour portion in the fourth  
12 quarter, which would be been early to mid November.

13 We tried to recoup -- I was able to recoup .5  
14 hours of the firearms. I did not discover this error.  
15 I thought that we were still within spec until while  
16 reconciling the in-service salary supplement against the  
17 training hours and the roster, I discovered that while  
18 thinking I was only at 41 hours due to the -- or 41.5  
19 hours due to the loss of the fourth-quarter range, it  
20 dawned on me that the four-hour in-service for  
21 active-shooter, while a firearms training topic, was  
22 reported twice. That drove my in-service salary  
23 supplement under the 40-hour mark and in to 37.5.

24 As soon as I discovered the error, I  
25 immediately notified POST and accordingly requested the

1 waiver such that they may be allowed to retain their  
2 certifications and if possible save the ability of these  
3 people to receive the in-service salary supplement due  
4 to no fault of their own.

5 MADAME CHAIR BAKER: Are we talking your  
6 entire department?

7 CAPTAIN STONE: Yes, ma'am.

8 MADAME CHAIR BAKER: How many people is that?

9 CAPTAIN STONE: Over a hundred. There are  
10 people who have since moved on from our agency and have  
11 gone on to work for other agencies.

12 SHERIFF FUSON: I don't think -- it's not the  
13 entire department. There's probably about 60 or 70,  
14 somewhere in that ballpark. And I know that he's got  
15 those numbers there. There's several of them that had  
16 hours through the academy, there's also several that had  
17 them through external training through our in-service  
18 program that was able to meet that mark.

19 So really just to clear up any confusion that  
20 may be from the explanation, is when the original 13  
21 hours of firearms training and 32 was submitted, it was  
22 not seen that that four hours of active-shooter training  
23 was counted twice, that was submitted to POST for  
24 approval for 2018 in-service and it was not discovered  
25 that it was in there twice until he was preparing his

1 salary supplement.

2 Now, on the backside of that, the training  
3 that was built into the four-quarters of firearms  
4 training should have been 13 hours, as submitted, but  
5 when we lost the fourth quarter use of that property  
6 there that dropped down that training to a half an hour  
7 at our indoor range, which is not capable of doing any  
8 longer range than that. But looking back, we're  
9 thinking that we've lost those hours from that four, it  
10 would have been three and a half hours, we were still  
11 over the eight. At that time, that's what we thought.

12 Had we realized that we were counting that  
13 twice, we could have gotten more hours in to get that  
14 eight hours completed in firearms, but that was not the  
15 case. We just did not realized that that was being  
16 counting in the 32 and in the 13 for the firearms  
17 training. So, hopefully, that clears up anything  
18 confusion there. Again, I hate that this happened. We  
19 immediately notified POST and actually sat down with  
20 Dexter Mines in our office to go over what we've got  
21 when we realized this error. So...

22 MADAME CHAIR BAKER: What are you going to do  
23 going forward for your range?

24 SHERIFF FUSON: Well, actually, we are -- our  
25 in-service was built on four eight-hour days, which was

1 32 hours. Next year, we're going to have five  
2 eight-hours days to complete all the mandatory training  
3 for in-service, and we're going to continue to do our  
4 quarterly firearms training, as per what we have in our  
5 policy. So that additional training on top of 40 hours  
6 will put us well over the 40 mark.

7 And also we have acquired some property to  
8 build our own range and that's actually going to be on  
9 our agenda, budget agenda this year, to purchase that  
10 property. So we've already got the property, we've got  
11 the construction documents ready, and the only thing we  
12 need is construction dollars from the county, and we  
13 hope to get that this year.

14 MADAME CHAIR BAKER: And in the interim you  
15 have a place for your guys to train, hands-on training?

16 SHERIFF FUSON: Yes, ma'am. We have an indoor  
17 range but this was our outdoor range where we were doing  
18 our long guns. Now, what we've had to do was there's  
19 two or three different indoor privately owned ranges  
20 that we could use, and only one of them has a  
21 rifle-rated range. But between that and using just  
22 property, setting up a safe shooting area that TWRP has  
23 out in the county, which is very hard for for us to get  
24 because of their scheduling conflicts, and the same with  
25 the Clarksville Police, they have a range, but it is

1 used quite a bit by their organization, and it's just  
2 sporadic opportunities for us to try to complete an  
3 eight-hour training course at their range. So that's  
4 what's proven difficult for us to get this completed.

5 MADAME CHAIR BAKER: All right. So the waiver  
6 would be to keep the department in compliance. I don't  
7 know that we can -- the officers can receive salary  
8 supplement under our rule.

9 DIRECTOR GRISHAM: The sheriff advised that  
10 there are a few that got the firearms house up over.  
11 The critical thing is that they get eight hours of  
12 firearms. That's statutory and you can't waive that.  
13 The two and a half hours that they wee short overall is  
14 waivable. So the officers that did get eight hours in  
15 some form or fashion can get the pay supplement.

16 CAPTAIN STONE: All of them have over eight  
17 hours of firearms. I can attest to that. Remember when  
18 they lost the four-hour component, we made up with .5  
19 that totals 5.5 hours of actual range time. With the  
20 active-shooter practical exercises that everybody got,  
21 that's four hours on top of the 5.5 therefore we have  
22 completed 9.5 hours of firearms-related training. I  
23 just wanted to clarify that, respectfully.

24 DIRECTOR GRISHAM: So all the mandatories were  
25 taken care of? You can waive it if all the manda- --



1 what we need to do is sit back down with him and see  
2 where he's getting that total eight hours. It was my  
3 understanding that there were some that did not get  
4 eight hours of firearms. And so if we can pay them, we  
5 can pay them that way. If you'll just give us the  
6 authority to go ahead and finish it up.

7 ASST. DIRECTOR MINES: I'll get the  
8 information. I'll go down there.

9 MR. UNDERWOOD: Issue the authority to us.

10 ASST. DIRECTOR MINES: Yes, sir. Yes, sir.

11 MADAME CHAIR BAKER: And so we can make a  
12 motion in respect to granting the waiver to keep the  
13 department in compliance and allowing for in-service pay  
14 for those that are able to show sufficient training to  
15 the POST Investigators?

16 COMMISSIONER PARTIN: Do we need to table this  
17 until this is cleared up?

18 DIRECTOR GRISHAM: I'm trying to avoid them  
19 coming back, if they can show they have eight hours,  
20 we'll pay everyone that has eight hours.

21 COMMISSIONER PARTIN: I understand. So if we  
22 made a motion -- Director, if we made a motion saying  
23 upon completion of clearing this up, it's good to go, I  
24 mean, basically?

25 MADAME CHAIR BAKER: (Nods head in the

1 affirmative.)

2 COMMISSIONER PARTIN: Okay. I'll make a  
3 motion that if Montgomery County clears this up, shows  
4 Assistant Director Mines that this is clear, than I'll  
5 think we'll all be in the good.

6 COMMISSIONER BIRCHFIELD: I'll second.

7 MADAME CHAIR BAKER: Do we have a motion and a  
8 second. Does everybody understand the motion? Yes,  
9 sir?

10 SHERIFF FUSON: Could I add just one thing? I  
11 know that I mentioned that the 13 hours of firearms  
12 training was submitted for those were the active-shooter  
13 training, so what we lost were the fourth quarter on the  
14 range time, but the four hours of active-shooter  
15 training is still in there. So if that clears up  
16 anything...

17 COMMISSIONER PARTIN: Is this just going to be  
18 a rearrangement on paper?

19 ASST. DIRECTOR MINES: I'm going to go back  
20 down and look at their whole in-service, and I'm going  
21 to look at specifically their firearms to make sure that  
22 we meet that mark because that's where the question is,  
23 whether they did get the eight hours of statutory  
24 requirement firearms.

25 DIRECTOR GRISHAM: We've had to split hairs in

1 the past. The eight hours firearms training requirement  
2 can be classroom and --

3 SHERIFF FUSON: It's mixed training.

4 DIRECTOR GRISHAM: -- it's mixed training. It  
5 doesn't have to be all on the range. So we can pull --  
6 if we pull out of that 37 and a half hours eight hours  
7 that is on firearms, not just you know --

8 COMMISSION WAGGONER: But they will get the  
9 salary supplement?

10 DIRECTOR GRISHAM: If we can find that eight  
11 hours. I think what he's saying is we can. And let me  
12 say from my prospective, this is very much an anomaly  
13 for Montgomery County, they're always ahead of the game  
14 and I appreciate them.

15 MR. UNDERWOOD: And POST rules allow 20  
16 percent to be excused, to be missed, but not on a  
17 mandatory subject like firearms, to be waived. If it  
18 was something else, they wouldn't necessarily have to  
19 have all 40 hours, but with firearms, they are required  
20 to have the eight.

21 MADAME CHAIR BAKER: So, Sheriff, do you  
22 understand that --

23 SHERIFF FUSON: Yes, ma'am, I understand  
24 completely. I assure you, it's all there. We'll sit  
25 down and we'll go over that. It's all there.

1 MADAME CHAIR BAKER: So we have motion and a  
2 second on the table. Any other questions or discussion?  
3 (Pause) All in favor? (Aye) Opposed? (Pause) All  
4 right. Thank you for appearing. Thank you.

5 CAPTAIN STONE: Madame Chair, respectfully, we  
6 do have a request for medical waiver, I believe.

7 DIRECTOR GRISHAM: Page 13, Madame Chair.

8 MADAME CHAIR BAKER: All right. Thank you for  
9 bringing that to my attention. All right. So this is  
10 under the Waiver for Medical, Rules 11 10-09-.06.  
11 Montgomery County Sheriff's Department request a medical  
12 waiver for Tecoah S. McDowell. Deputy McDowell did not  
13 complete firearms in 2016 due to a medical condition  
14 occurring in April. He has remained under doctor's care  
15 and is unable to return to work as full duty. He is  
16 unarmed and on light duty.

17 So, basically, he did not complete in-service  
18 and is not eligible for the salary supplement.

19 MR. UNDERWOOD: But he does qualify for a  
20 waiver, remaining unarmed.

21 MADAME CHAIR BAKER: Correct. Does the  
22 Commission have any questions? Or a motion?

23 COMMISSIONER BIRCHFIELD: Motion to approve.

24 COMMISSIONER FORRESTER: Second.

25 MADAME CHAIR BAKER: Motion and a second to

1 approve. Any other discussion? (Pause) All in favor?  
2 (Aye) Opposed? (Pause) Thank you. All right. Thank  
3 you so much.

4 All right. We're back on page 10, Waivers of  
5 the Six Month Rule.

6 DIRECTOR GRISHAM: Commission, what this is is  
7 by statute, officers are required to be enrolled in a  
8 basic law enforcement recruit school within six months  
9 of their employment. For many reasons, sometimes  
10 agencies need more than that time, particularly the  
11 overcrowding in our academies. Thank you.

12 MADAME CHAIR BAKER: Thank you. Maynardville  
13 Police Department request a six-month waiver for Timothy  
14 Mark Johnson. Maynardville Police Department failed to  
15 send Mr. Johnson's documentation to POST at time of hire  
16 on March 27th, 2018. As of March 7, 2019, all documents  
17 have been provided to POST regarding Mr. Johnson's  
18 employment packet. He's not eligible for 2018 salary  
19 supplement.

20 Good morning. Can you introduce yourselves,  
21 please.

22 MR. TIMOTHY JOHNSON: Timothy Johnson with the  
23 Maynardville Police Department.

24 CAPTAIN JOHNSON: I'm Captain Johnson with the  
25 Maynardville Police Department.

1 MADAME CHAIR BAKER: Captain.

2 CAPTAIN JOHNSON: This is kind of mine and the  
3 chief's fault. We've kind of took responsibility for  
4 it. I'm not for sure what happened to his paperwork  
5 being submitted last year. We had hired an officer to  
6 go the Knox County Academy, he made it a week and left,  
7 and Officer Johnson was hired on March 27th. We're a  
8 very small department, we're a four-man department, and  
9 we have a lot going on in our department as far as work  
10 goes.

11 I was actually -- I'm the investigator also  
12 and I was on a wiretap during this time from January  
13 into the summer that netted over 700 pounds of marijuana  
14 out of our community. So I'll take responsibility that  
15 this was not sent in in a proper time. It was caught by  
16 POST when, apparently, we submitted his salary  
17 supplement, and I would not have put him on salary  
18 supplement if I didn't realize that his paperwork hadn't  
19 been put in [verbatim].

20 The guy who handles our V Academy (phonetic),  
21 Office Wolfmogger (phonetic) handles the V Academy.  
22 When we checked to do salary supplement, he had totaled  
23 all his hours, and he had all of his hours under  
24 V Academy because he was actually employed with two  
25 departments. He was employed with Union County

1 Sheriff's Department and Maynardville Police Department  
2 at the same time, up until -- up into the summer or  
3 spring.

4 So he had gotten so many hours under the  
5 Maynardville -- or under the Union County Sheriff's  
6 Department under V Academy and had gotten 40-something  
7 hours under Union -- or the Maynardville Police  
8 Department. Plus, he had completed his firearms  
9 training under the Maynardville Police Department. And  
10 like I said, POST caught that we had not submitted his  
11 paperwork.

12 I have all his documentation from V Academy  
13 and his firearms training, where he has completed all of  
14 his 2018 in-service. So I'm asking -- our department is  
15 asking for him to get his salary supplement because he  
16 did not have a break in service. He's had actually two  
17 departments he was working for.

18 JANINE BREEDEN: He worked for Union County  
19 and separated in June of '18 but you did not notify  
20 us --

21 CAPTAIN JOHNSON: Yes, that's what I apologize  
22 for. He was hired --

23 JANINE BREEDEN: -- until March, until like  
24 now, so he was working out of compliance.

25 (A long pause occurs with an inaudible

1 discussion between Commission Members.)

2 MADAME CHAIR BAKER: We've had an issue in the  
3 past, and continue to have an issue, with departments  
4 not meeting deadline and not submitting paperwork to  
5 POST Commission. So there's a January 15th deadline and  
6 after that, while the department may be applying for the  
7 officer to get a waiver, it becomes an issue as to  
8 whether or not we can pay the salary supplement past the  
9 deadline.

10 That's some of the discussion that's going on  
11 back here, and it may end up depending on the wishes of  
12 the Commission, that he remain eligible and not receive  
13 salary supplement. Perhaps, your department can assist  
14 in that shortage, but we have to -- in the past because  
15 of the problems and they were big problems with many  
16 department -- and I believe your department has been  
17 here before with this as well -- because submissions --  
18 we have to have a very stern cutoff date with very  
19 little exceptions because of that.

20 CAPTAIN JOHNSON: That's fine.

21 MADAME CHAIR BAKER: That's part of the  
22 discussion that's going on up here.

23 CAPTAIN JOHNSON: Not a problem.

24 ASST. DIRECTOR MINES: Madame Chair, just to  
25 be clear, Mr. Johnson was working for this agency,



1     however, he hadn't sent any request for certification to  
2     us for him to be certified.  So Mr. Johnson was  
3     technically certifiable but not certified by POST.  In  
4     the meantime, he was doing in-service and working with  
5     the agency.  Now, we just received his packet for  
6     certification this year, for him, and they're requesting  
7     to be paid -- in-service paid for '18, which he was not  
8     certified by POST.

9             MR. UNDERWOOD:  When you say "certified by  
10     POST," do you mean have POST certification or just did  
11     he not register on the record to be with the agency?

12             ASST. DIRECTOR MINES:  Registered on the  
13     record with that agency, no application for  
14     certification.

15             MR. UNDERWOOD:  But he had a POST  
16     certification?

17             ASST. DIRECTOR MINES:  He had a POST  
18     certification, but we had no paperwork on him --

19             MR. UNDERWOOD:  Being employed with that  
20     agency?

21             ASST. DIRECTOR MINES:  -- being employed with  
22     that agency, yes.

23             MR. UNDERWOOD:  And agencies are required  
24     within ten days -- or one day to apply for --

25             ASST. DIRECTOR MINES:  After they are hired,

1 they're required to have actually (indiscernible) -- the  
2 date of hire, but we don't really start asking them or  
3 letters or anything like that until about 30 days.

4 Sometimes it can be challenging to get the paperwork in.

5 DIRECTOR GRISHAM: And in this case it was a  
6 year?

7 ASST. DIRECTOR MINES: Yes, sir, in this case  
8 it was a year.

9 MADAME CHAIR BAKER: Has somebody in your  
10 department been to the POST school to learn about the  
11 POST rules?

12 MR. UNDERWOOD: The trainer school.

13 CAPTAIN JOHNSON: No.

14 MADAME CHAIR BAKER: I recommend that so this  
15 doesn't happen to you in the future. That way you're  
16 aware of the rules and state law to keep your department  
17 from having to appear in this situation.

18 CAPTAIN JOHNSON: Okay.

19 MADAME CHAIR BAKER: Do we have anything from  
20 the Commission? Discussion? A motion? We can keep him  
21 in compliance without giving him salary supplement or we  
22 can -- whatever is your wish.

23 MR. UNDERWOOD: According to our rules and  
24 procedures provided, they did not provide the  
25 information regarding this officer until a year after he

1 was hired, the paperwork shows that he was not employed  
2 with that agency, that's for why the denial of the  
3 salary supplement to that officer was made, unless --  
4 you can't go back and change time. I mean, I guess you  
5 can change paperwork, but the official documents you  
6 received show us they -- as being the story I've just  
7 told you.

8           Therefore, the recommendation of Legal would  
9 be to grant the waiver to remain in compliance and not  
10 grant the salary supplement. The agency would be  
11 responsible for paying that, too, though. I've had that  
12 case before. This is not the first time. Historically,  
13 that has been the case, agencies who are able to, would  
14 pay their officers salary supplement on their behalf,  
15 but it's not the position of the POST Commission to fix  
16 paperwork malfunctions by an agency failure to do so  
17 with the Commission's office.

18           GENERAL CHERRY: I make a motion to grant the  
19 waiver to keep the department in compliance and not  
20 authorize the salary supplement.

21           COMMISSIONER FORRESTER: Second.

22           MADAME CHAIR BAKER: All right. We have a  
23 motion and a second. Any other questions or discussion?  
24 (Pause) All right. Do you understand the motion?

25           CAPTAIN JOHNSON: I do. So it's my

1 understanding that the whole department is in  
2 compliance?

3 MADAME CHAIR BAKER: Your department will  
4 remain in compliance based on this incident, but your  
5 officer will not receive from the State of Tennessee a  
6 salary supplement.

7 CAPTAIN JOHNSON: Okay.

8 MR. UNDERWOOD: Be sure to get in the  
9 in-service this year, otherwise, you've lost --

10 CAPTAIN JOHNSON: He's already got it.

11 MR. UNDERWOOD: That's good because if he  
12 didn't do it this year, he'd be in big trouble. We  
13 couldn't help you then.

14 CAPTAIN JOHNSON: Yeah, he's already gone to  
15 the academy.

16 DIRECTOR GRISHAM: He is certified but it's  
17 just a year later than...

18 MADAME CHAIR BAKER: All right. Any other  
19 questions or discussion from the Commission? (Pause)  
20 All in favor? (Aye) Opposed? (Pause) All right.  
21 Thank you. Good luck.

22 CAPTAIN JOHNSON: Thank you.

23 MADAME CHAIR BAKER: Haywood County Sheriff's  
24 Office request a six-month waiver for Broderick Hunter  
25 Boldon. Mr. Boldon was hired by the Haywood Sheriff's

1 Department on September 1, 2018, and has a basic police  
2 training start date for March 31, 2019. POST packet was  
3 received February of 2019.

4 Good morning. Can you introduce yourselves  
5 please.

6 MR. BOLDON: Brodrick Boldon, Haywood County  
7 Sheriff's Department.

8 CHIEF DEPUTY SMITH: Terry Smith, Chief  
9 Deputy, Haywood County Sheriff's Department.

10 MADAME CHAIR BAKER: All right. Everything  
11 else is in order?

12 ASST. DIRECTOR MINES: Yes, ma'am.

13 MADAME CHAIR BAKER: All right. Do we have a  
14 motion or questions or discussion?

15 GENERAL CHERRY: Motion to approve.

16 COMMISSIONER BIRCHFIELD: Second.

17 MADAME CHAIR BAKER: Motion and a second to  
18 approve. Any other discussion? (Pause) All in favor?  
19 (Aye) Opposed? (Pause) All right. Congratulations.  
20 Good luck.

21 MR. BOLDON: Thank you.

22 MADAME CHAIR BAKER: Crossville Police  
23 Department? (Pause)

24 MR. WRATHER: No, ma'am.

25 MADAME CHAIR BAKER: Thank you.

1 MR. WRATHER: Yes, ma'am.

2 MADAME CHAIR BAKER: Request a six-month  
3 waiver for Courtney Paige White. Ms. White needs to  
4 return to TLETA due to failure of EVOC during the  
5 January 8th, 2019 training academy.

6 DIRECTOR GRISHAM: Madame Chair, Ms. White is  
7 in the academy at this time, and if she makes it through  
8 everything else, she will return in the next class to  
9 make up for the week of EVOC. So she will go over the  
10 six-month rule in doing so.

11 MADAME CHAIR BAKER: Okay. Crossville Police  
12 Department is aware?

13 DIRECTOR GRISHAM: Yes.

14 MADAME CHAIR BAKER: All right. Do we have  
15 any other discussion or a motion for the six-month  
16 waiver?

17 GENERAL CHERRY: Motion to approve?

18 MADAME CHAIR BAKER: Is there a second?

19 SENATOR JACKSON: Second.

20 COMMISSIONER BIRCHFIELD: Second.

21 MADAME CHAIR BAKER: Motion and a second to  
22 approve the waiver. Any other discussion? (Pause) All  
23 in favor? (Aye) Opposed? (Pause) All right.

24 Gainesboro Police Department, submission of  
25 late paperwork. Michael Gene Roden was hired as a

1 police officer in September of 2016. The POST  
2 Commission was not notified or provided any of  
3 Mr. Roden's date of employment records until this year,  
4 February 2019. Not eligible for 2017 and 2018 salary  
5 supplement.

6 Good morning. Can you introduce yourselves,  
7 please.

8 ASSISTANT CHIEF SMITH: Assistant Chief  
9 Michael Smith.

10 MR. RODEN: Officer Michael Roden.

11 MADAME CHAIR BAKER: Good morning. Chief, can  
12 you talk about what happened with the paperwork for the  
13 last three years?

14 ASSISTANT CHIEF SMITH: We have had -- again,  
15 we're a small department like the other ones were, a  
16 four-man department, and our chief of police at that  
17 time had left. The new chief and myself was not even  
18 aware of the Acadis System, he took -- Chief Larnard  
19 (phonetic), he took care of everything, and he didn't  
20 share information like that with us. So Officer Roden  
21 left -- or graduated Walter State, we assumed that he  
22 had done this paperwork, which I guess he thought Walter  
23 State turned that in.

24 You know, so when we got ready to do our  
25 salary supplement for this year, when I took over, and I

1 got to checking on this, we found out he did not have a  
2 certification number.

3 MADAME CHAIR BAKER: How many people at your  
4 department?

5 ASSISTANT CHIEF SMITH: Four.

6 MADAME CHAIR BAKER: And everybody else has  
7 gotten their salary supplement?

8 ASSISTANT CHIEF SMITH: The only ones that we  
9 put in for this year was myself and Chief Michael Head.  
10 Jimmy Sizemore, which you-all had a meeting on him with  
11 the chief earlier this year, and Officer Roden are not  
12 eligible for salary supplement. We just want to get all  
13 our paperwork correct, and like I said, I wasn't aware  
14 of the training for Acadis. I'd like to be able to come  
15 to that and get everything straightened out with POST.

16 MADAME CHAIR BAKER: Yeah, I encourage you to  
17 attend that training. All right. I understand that  
18 everything else is in order as of today --

19 ASSISTANT CHIEF SMITH: Yes, ma'am.

20 MADAME CHAIR BAKER: -- for 2019, correct?

21 ASSISTANT CHIEF SMITH: Yes, ma'am.

22 MADAME CHAIR BAKER: Okay. So it will be a  
23 six-month waiver -- sorry, it's a three-year waiver.  
24 Sorry about that.

25 DIRECTOR GRISHAM: Did Officer Roden get



1 in-service those three years?

2 ASSISTANT CHIEF SMITH: Yes, he has.

3 DIRECTOR GRISHAM: He's kept current since the  
4 graduated?

5 ASSISTANT CHIEF SMITH: Yes, he has. The first  
6 year he graduated Walter State so we knew he wasn't  
7 eligible. Last year, he went through all the required  
8 classes, and then like I said, when we went through to  
9 add anyone for salary supplement, I called POST to find  
10 out what his number was, because we didn't have it on  
11 any of our paperwork, and then that's when they advised  
12 me that he wasn't certified.

13 COMMISSIONER FORRESTER: Has he been paid the  
14 salary supplement previously?

15 ASSISTANT CHIEF SMITH: No.

16 MADAME CHAIR BAKER: Do you-guys have records?

17 ASST. DIRECTOR MINES: Director, I'm going to  
18 have to follow up on the salary supplement part.  
19 Obviously, if he's not with their agency, by us, in  
20 Acadis, we wouldn't see that record. So I'm going to  
21 have to find out as to whether or not he had in-service  
22 previously.

23 MR. UNDERWOOD: But you'd like to be cut a  
24 check today?

25 ASST. DIRECTOR MINES: He can get paid but I

1 don't know if he had that training.

2 MADAME CHAIR BAKER: They're going to have to  
3 verify the in-service for the last three years --

4 ASSISTANT CHIEF SMITH: I did turn that  
5 paperwork in also.

6 MADAME CHAIR BAKER: Do we have a copy of  
7 that?

8 JANINE BREEDEN: No.

9 MR. UNDERWOOD: So, Commissioners, we have a  
10 situation here where through no fault of the officer  
11 himself, the agency has not provided this information  
12 regarding him working for them and so forth. So the  
13 consideration would be whether to grant him six-month  
14 waivers during his time of employment to get to -- I  
15 don't know what that number would be. Is that --

16 ASST. DIRECTOR MINES: It would actually be  
17 six six-month waivers, wouldn't it?

18 MR. UNDERWOOD: Well, that's what I'm --  
19 unless he's been through the academy. He's already been  
20 through the academy, so he's not required further  
21 training; is that correct?

22 ASST. DIRECTOR MINES: Right. Yes, sir.

23 MADAME CHAIR BAKER: Well, unless they could  
24 prove his in-service for the last three years, would he  
25 need a waiver, or would we just need to accept their

1 explanation without a salary supplement?

2 MR. UNDERWOOD: I assume we accept their  
3 explanation without the salary supplement to keep them  
4 in compliance, if he's able to prove that he did do the  
5 in-service during those years.

6 ASSISTANT CHIEF SMITH: Excuse me, he was  
7 hired at the end of 2016. And the first of '17 is when  
8 he went to the academy and then he went through  
9 in-service in 2018.

10 MADAME CHAIR BAKER: So he went through the  
11 academy in 2017?

12 ASSISTANT CHIEF SMITH: Yes, ma'am.

13 MR. UNDERWOOD: Did he have a waiver at that  
14 time for a six-month waiver? Do we know?

15 JANINE BREEDEN: Showing he was hired  
16 September 16 of '16. There's no in-service for '16, '17  
17 or 18 in his file.

18 MR. UNDERWOOD: But he graduated Walter State  
19 in '17?

20 JANINE BREEDEN: Yes.

21 MADAME CHAIR BAKER: He went through the  
22 academy?

23 JANINE BREEDEN: Yes, ma'am. And I just  
24 received all this February the 15th of this year.

25 DIRECTOR GRISHAM: What part of '17 did you go

1 to the academy?

2 MR. RODEN: January 2017.

3 DIRECTOR GRISHAM: So he was within the  
4 initial six months to be in compliance with the statute.

5 MR. UNDERWOOD: And then he was hired two  
6 years afterwards?

7 DIRECTOR GRISHAM: No. He was hired before --  
8 the year before that. He got to the academy within six  
9 months, it's just we didn't know about it.

10 MR. UNDERWOOD: So we're looking for  
11 in-service for '18 basically, is what it is? Because he  
12 wouldn't have been eligible in '16 and he would not have  
13 been eligible in '17, being through the academy?

14 MADAME CHAIR BAKER: Right. So 2018 would be  
15 the one that they need to show.

16 COMMISSIONER SPANGLER: And you said he has  
17 the '18 in-service?

18 ASST. DIRECTOR MINES: I don't know that yet.

19 MADAME CHAIR BAKER: Can you provide 2018  
20 in-service training records to the POST Commission?

21 ASSISTANT CHIEF SMITH: It is in the Acadis  
22 portal, I was just inactive or unable to get, but all  
23 his training is in the -- where you put in the class  
24 roster.

25 ASST. DIRECTOR MINES: I'll have to follow up

1 on that. I don't know an answer to give, a clear answer  
2 yet, I'll have to follow up.

3 ASSISTANT CHIEF SMITH: But I will submit  
4 anything I have to send you.

5 MR. UNDERWOOD: We can let the Commission  
6 determine to suspend this to the next month. And in the  
7 meantime, if we get the paperwork in and we can not  
8 require you to come back down here, if the Assistant  
9 Director has looked at the paperwork and able to confirm  
10 this so that we can submit it to the Commission, that he  
11 get a wavier for the 2018 in-service training but not  
12 getting salary supplement to keep you-all in compliance  
13 as well.

14 ASSISTANT CHIEF SMITH: We're not really  
15 worried about him getting salary supplement, our  
16 department will take care of that. We just want to make  
17 sure he is a certified officer.

18 MR. UNDERWOOD: Is that acceptable to you,  
19 Assistant Director --

20 ASST. DIRECTOR MINES: Correct. Yes, sir.

21 MR. UNDERWOOD: -- that you get all the  
22 paperwork to review and verify the 2018 in-service was  
23 conducted and present that to the Commission to approve  
24 it next month?

25 ASST. DIRECTOR MINES: Yes, sir.

1 MADAME CHAIR BAKER: All right. Do we have a  
2 motion to postpone this until next month?

3 COMMISSIONER WAGGONER: I'll make a motion.

4 COMMISSIONER FORRESTER: Second.

5 MADAME CHAIR BAKER: Thank you. We have  
6 motion and a second to postpone this to next month so  
7 that paperwork can be properly looked at. Any other  
8 questions or discussion? (Pause) All in favor? (Aye)

9 ASSISTANT CHIEF SMITH: What other paperwork  
10 would you like?

11 MR. UNDERWOOD: We're going to verify Acadis  
12 System. If it's not in the Acadis System, you-all need  
13 to provide that to us. Okay?

14 ASSISTANT CHIEF SMITH: Yes, sir.

15 MADAME CHAIR BAKER: All right. Anyone  
16 opposed? (Pause) All right. The motion passes. So I  
17 guess we'll see you next month -- oh, no, they didn't  
18 have to show up. Okay. Thank you. You take care.

19 ASSISTANT CHIEF SMITH: Thank you.

20 MADAME CHAIR BAKER: All right. 2018 Audit of  
21 the Saint Joseph Police Department, an audit was  
22 conducted on 9/27/2018. A follow-up audit was conducted  
23 on 11/1/2018. On 3/6/2019, all remaining documentation  
24 needed to exhibit compliance was submitted to POST.

25 DIRECTOR GRISHAM: To Mr. Wrather's very great

1 pleasure over Saint Joseph's.

2 MADAME CHAIR BAKER: Anything else that needs  
3 to be talked about?

4 DIRECTOR GRISHAM: No. He had to audit every  
5 small department in Lawrence County. There's a lot of  
6 crossover and part-time people working for different  
7 departments, so we tried to get them in order. So Saint  
8 Jo is good?

9 MR. WRATHER: Saint Jo is good.

10 MADAME CHAIR BAKER: All right. Do we have a  
11 motion to accept the results of the audit?

12 COMMISSIONER PARTIN: Motion approve.

13 GENERAL CHERRY: Second.

14 MADAME CHAIR BAKER: Motion and a second. Any  
15 other discussion or questions? (Pause) All in favor?  
16 (Aye) Opposed? (Pause).

17 All right. Then we have the 2018 Audit of the  
18 Ethridge Police Department, an audit was conducted on  
19 10/17/2018. Follow-up audit was conducted on  
20 11/1/2018. On 2/20/219, all remaining documentation  
21 needed to exhibit compliance was submitted to POST.

22 COMMISSIONER PARTIN: Motion to approve.

23 GENERAL CHERRY: Second.

24 MADAME CHAIR BAKER: Motion and a second to  
25 approve the results of the audit. Any other questions

1 of discussion? (Pause) All in favor? (Aye) Opposed?  
2 (Pause).

3 All right. Applications For Training Officer  
4 Post Rule 11 10-04-.3. POST Investigators have reviewed  
5 and approved three applicants for Training Officer, and  
6 they appear to meet criteria for approval.

7 And just as history, we used to list all of  
8 them and one point the lists became quite lengthy, so we  
9 felt like the investigators were going to maintain those  
10 lists and we can base our votes on their decisions on  
11 that.

12 So the officers will be informed that they  
13 have one year to complete the Instructor Development or  
14 approved substitute.

15 So do we have a motion for these three  
16 applications?

17 COMMISSIONER PARTIN: Motion to approve.

18 GENERAL CHERRY: Second.

19 MADAME CHAIR BAKER: Motion and a second for  
20 approval. Any other discussion? (Pause) All in favor?  
21 (Aye) Opposed? (Pause).

22 All right. Curriculum and Tests - 11 10-04  
23 and Specialized Training Curriculum 11 10-04.09. POST  
24 Investigators have reviewed and approved 303 in-service  
25 and specialized training classes this month s they



1 appear to be in order and meet or exceed minimum  
2 standards set forth by the Peace Officers Standards and  
3 Training requirements. They have made not if these  
4 training offerings meet the POST requirements for  
5 Firearms, EVOC, and Mental Illness and CSA.

6 Do we have a motion for these 303 classes?

7 GENERAL CHERRY: Move to approve.

8 COMMISSIONER PARTIN: Second.

9 MADAME CHAIR BAKER: Motion and a second to  
10 approve. Any other discussion? (Pause) All in favor?  
11 (Aye) Opposed? (Pause).

12 All right. Applications for Certified  
13 Instructor - 11 10-03-.04. POST Investigators have  
14 reviewed and approved 26 applications for the Certified  
15 Instructor, and they appear to be in order and meet the  
16 minimum standards, and they have completed the minimum  
17 hours in attendance of required courses. The  
18 instructors listed below will be informed they have one  
19 year to complete Instructor Development or approved  
20 substitute, and those are Leonardo Zollicoffer,  
21 J. Keith Barker, Levi Kilgore, Chad Norris, Brian Smith  
22 and Walter Jordan.

23 Officers below request a waiver for the  
24 five-year training requirement, and that would be  
25 Anthony Gunter.

1 MADAME CHAIR BAKER: Questions or discussion?  
2 26 candidates.

3 GENERAL CHERRY: Motion to approve.

4 MADAME CHAIR BAKER: We have a motion to  
5 approve.

6 SENATOR JACKSON: Second.

7 MADAME CHAIR BAKER: Second. Any other  
8 discussion or question? (Pause) All in favor? (Aye)  
9 Opposed? (Pause).

10 All right. Waivers of the Eight-Month Rule.  
11 The following officers are requesting a waiver of the  
12 eight-month rule. They will receive 2018 salary  
13 supplement payment if they completed 2018 In-service  
14 requirements.

15 Hamilton County Sheriff's Office request an  
16 eight-month waiver for Deputy Chief Charles O. Lowery.  
17 Chief Lowery retired in good standing on June 3rd, 2018  
18 after completing all 2018 in-service requirements.

19 MADAME CHAIR BAKER: Do we have a motion?

20 COMMISSIONER WAGGONER: Motion to approve.

21 COMMISSIONER PARTIN: Second.

22 MADAME CHAIR BAKER: Motion and a second to  
23 approve. Any other discussion? (Pause) All in favor?  
24 (Aye) Opposed? (Pause).

25 Hamilton County Sheriff's Office request an

1 eight-month waiver for Detective Dwayne Brown, who  
2 retired on February 27th, 2018.

3 COMMISSIONER FORRESTER: Motion to approve.

4 SENATOR JACKSON: Second.

5 MADAME CHAIR BAKER: Motion and a second to  
6 approve. Any other discussion?

7 COMMISSIONER FORRESTER: Does he get  
8 in-service?

9 MR. UNDERWOOD: Yes. All these will be  
10 in-service as long as they've got their training.  
11 They're waiving the eight-month requirement. As long  
12 as they get their in-service during that time and it's  
13 granted for reasons of retirement, medical, disability  
14 or death.

15 MADAME CHAIR BAKER: We have a motion and a  
16 second. Any other questions or discussion? (Pause)  
17 All in favor? (Aye) Opposed? (Pause).

18 All right. Knoxville Police Department  
19 request an eight-month waiver for Stephen Franklin Sise,  
20 who retired on April 1, 2018.

21 COMMISSIONER WAGGONER: I'll make a motion to  
22 approve.

23 GENERAL CHERRY: Second.

24 MADAME CHAIR BAKER: Motion and a second to  
25 approve. Questions? Discussion? (Pause) All in

1 favor? (Aye) Opposed? (Pause).

2 Knoxville Police Department request an  
3 eight-month waiver for Kevin Patrick Maycann, who  
4 retired on May 5th, 2018.

5 COMMISSIONER WAGGONER: Motion to approve.

6 GENERAL CHERRY: Second.

7 MADAME CHAIR BAKER: Motion and a second to  
8 approve the waiver. Questions or discussion? (Pause)  
9 All in favor? (Aye) Opposed? (Pause).

10 Knoxville Police Department request an  
11 eight-month waiver for Charles Tucker Lee, who retired  
12 on August 5th, 2018.

13 COMMISSIONER WAGGONER: Motion to approve.

14 GENERAL CHERRY: Second.

15 MADAME CHAIR BAKER: Motion and a second to  
16 approve. Questions or discussion? (Pause) All in  
17 favor? (Aye) Opposed? (Pause).

18 Metro Nashville Police request a waiver for  
19 Charles William Carter, who retired on August 2nd, 2018.  
20 And also for Richard Joseph Martin, who retired on June  
21 1st, 2018.

22 COMMISSIONER WAGGONER: Motion to approve.

23 GENERAL CHERRY: Second.

24 MADAME CHAIR BAKER: Motion and a second to  
25 approve. Questions or discussion? (Pause) All in

1 favor? (Aye) Opposed? (Pause).

2 Requests for Medical - Rule 11 10-09-.06. The  
3 following departments are requesting a waiver for  
4 medical reasons for the 2018 calendar, so the  
5 departments will also remain in compliance. Officers  
6 did not complete in-service training and are not  
7 eligible for salary supplement.

8 Pittman Center Police Department request a  
9 medical waiver for James Michael Blackstock, Jr., who  
10 has been out on medical leave from May 30th to July  
11 20th, 2018.

12 GENERAL CHERRY: Move to approve.

13 COMMISSIONER PARTIN: Second.

14 MADAME CHAIR BAKER: Motion and a second to  
15 approve. Any questions or discussion? (Pause) All in  
16 favor? (Aye) Opposed? (Pause).

17 Coffee County Sheriff's Department request a  
18 medical waiver for Wendell Lynn Bowen, who has been on  
19 leave since June 19th, 2017.

20 COMMISSIONER FORRESTER: Did Bowen complete  
21 his in-service training in '17?

22 DIRECTOR GRISHAM: These did not complete --  
23 well...

24 GENERAL CHERRY: So these are just to keep  
25 the department in compliance?

1 MR. UNDERWOOD: Yes. These are people who --  
2 these are officers who -- officers who are -- yes, for  
3 medical reasons able to waive in-service for the year to  
4 keep them in compliance and the agency in compliance  
5 that they are in, but they will not receive the salary  
6 supplement.

7 COMMISSIONER FORRESTER: Well, the reason I  
8 was asking is if he didn't complete it in '17, then that  
9 would mean he was decertified by statute because that  
10 would be the two-year mark.

11 ASST. DIRECTOR MINES: Correct. All of these  
12 before we even put them before the Commission, we go  
13 back to check to make sure that they have the previous  
14 year, and if they have the previous year, we request the  
15 waiver for the next year.

16 MADAME CHAIR BAKER: Is there a motion?

17 COMMISSIONER PARTIN: And that's one of mine  
18 so I don't know if you need any testimony from me as a  
19 witness one dealing with him. I'd be more than happy to  
20 do it. Of course, I'd be abstaining in the vote, but I  
21 can give you some details.

22 Mr. Bowen was shot at our courthouse in June  
23 19th of 2017. He is improving daily and it's -- I went  
24 and visited with him yesterday. It's very doubtful he  
25 will ever come back to work. We're just kind of keeping

1 this an open file for right now.

2 MADAME CHAIR BAKER: I'm sorry.

3 GENERAL CHERRY: Move to approve.

4 SENATOR JACKSON: Second.

5 COMMISSIONER WAGGONER: Second.

6 MADAME CHAIR BAKER: Motion and a second to  
7 approve the waiver. Any other questions or discussion?  
8 (Pause) All in favor? (Aye) Opposed? (Pause) And one  
9 abstention.

10 Knoxville Police Department request a medical  
11 waiver for Jafar Saleem Flemming, who has been on  
12 medical leave since June 21st, 2018.

13 GENERAL CHERRY: Move to approve.

14 COMMISSIONER WAGGONER: Second.

15 MADAME CHAIR BAKER: All right. We have a  
16 motion. Do we have a second?

17 COMMISSIONER WAGGONER: Second.

18 MADAME CHAIR BAKER: Motion and a second to  
19 approve. Any other questions or discussion? (Pause)  
20 All in favor? (Aye) Opposed? (Pause).

21 All right. Metro Nashville Police Department  
22 request medical waivers for the following officers:  
23 Matthew Ryan Cammarn, Angeline Marie Comilla, Erid  
24 Harrison, Jessica Johnson, Clayton Lewis, Michael Pyle,  
25 Matthew Valiquette, Randall Combs, Samuel Galluzzi,

1 Cindy Huffins, James King, Cody O'Quinn, Natalie  
2 Robinson, Russel Wade. And I'm told that their  
3 particular reasons are filed with POST.

4 COMMISSIONER WAGGONER: I'll make a motion to  
5 approve.

6 GENERAL CHERRY: Second.

7 MADAME CHAIR BAKER: Motion and a second to  
8 approve. Any other questions or discussion? (Pause)  
9 All in favor? (Aye) Opposed? (Pause).

10 DIRECTOR GRISHAM: Madame Chair, before we  
11 move along, if we could read this regarding Deputy Bowen  
12 with Coffee County Sheriff's Office. We've had  
13 discussion in the last commission regarding our rules.  
14 We consider failure to commit -- to conduct or attend  
15 in-service one year as a waivable item, but the second  
16 year for medical reasons, is automatic decertification.  
17 And we're going to -- we're in the process of altering  
18 our rules a little bit. If you leave law enforcement  
19 and decide to drive a truck for two years, you don't get  
20 automatically decertified. But we're automatically  
21 decertifying who got, in this case, injured in the line  
22 of duty. So if we can have your permission, we'll mark  
23 him as medically inactive, and this won't come up again,  
24 you won't have to ask for a waiver. If he gets better,  
25 he can come back.



1           COMMISSIONER PARTIN: I don't -- you know,  
2 with the situation he was in, and last year being an  
3 election year and all, I think Wendell might have -- you  
4 know, because when I came into office, you know, I went  
5 through and done an inventory and I wanted to know where  
6 Wendell -- you know, where he was at in standing with  
7 the POST Commission. So I'm not familiar with what kind  
8 of paperwork, you know, you might have not have gotten  
9 last year. They should have notified immediately after  
10 he was injured, and I apologize, on my county's behalf,  
11 I apologize to this board and the State of Tennessee if  
12 they didn't get notified. But I appreciate that.

13           DIRECTOR GRISHAM: If it's your pleasure,  
14 we'll just mark him medically inactive.

15           GENERAL CHERRY: I make that motion.

16           COMMISSIONER WAGGONER: Second.

17           COMMISSIONER FORRESTER: Second.

18           MADAME CHAIR BAKER: We have a motion and a  
19 second to mark him medically inactive, and that's  
20 Wendell Lynn Bowen. Any other questions or discussion  
21 on that? (Pause) All in favor? (Aye) Opposed?  
22 (Pause). Thank you.

23           All right. Waivers for Military Leave - Rule  
24 11-10-09-.06(5). The following departments are  
25 requesting a waiver for military service for the 2018

1 calendar. Military orders are included along with  
2 change of status. These officers will be eligible to  
3 receive salary supplement and the departments will  
4 remain in compliance.

5 DIRECTOR GRISHAM: Commissioners, by statute,  
6 we pay the pay supplement whether they've gotten  
7 in-service or not because Uncle Sam is providing their  
8 in-service. So I think, Madame Chair, you can just read  
9 the names into the record.

10 MR. UNDERWOOD: You can read the agency and  
11 the officer's name, and we'll take it as one motion at  
12 the end.

13 MADAME CHAIR BAKER: Perfect. Nolensville  
14 Police Department and that's Cody Blake Philips;  
15 Knoxville Police Department for Frederick Romero Kimber;  
16 Knoxville Police Department for Jonathan Marvin Gomez;  
17 Nashville Metro Police Department for James Anoskey;  
18 Metro Nashville Police Department for Floyd Wayne Brown,  
19 Jr.; MNPDP for Nicholas Wade Carter; MNPDP for Graham  
20 Travis Binkley; MNPDP for Johnathan Kyle Cavezza; MNPDP  
21 for Nathan Hall Dungan; MNPDP for Vincent Estes; MNPDP for  
22 Adam Wilson Gartner; MNPDP for Wesley Hammond; MNPDP for  
23 Steven Michael Jenkins; MNPDP for Patrick Glenn Martin;  
24 MNPDP for William Zachary McDaniel; MNPDP for Marcus Chase  
25 Mitchell; MNPDP for Joshua Earl Robertson; MNPDP for Sean

1 Kevin Shea; Johnson City Police Department for Shane  
2 Hardin Williams; Bristol Police Department for Travis  
3 Gordon Womer; Pulaski Police Department for Jacob Wade  
4 McCafferty.

5 COMMISSIONER WAGGONER: Motion to approve.

6 COMMISSIONER BIRCHFIELD: Second.

7 MADAME CHAIR BAKER: We have a motion and a  
8 second to approve all that I've named. Any other  
9 questions or discussion? (Pause) All in favor? (Aye)  
10 Opposed? (Pause).

11 Do we have any old business?

12 DIRECTOR GRISHAM: Yes, Madame Chair. I have  
13 a couple of items, just to keep this group apprised of  
14 what is in progress and what environment you have come  
15 into as commissioners. Extremely high turnover rate.  
16 Those of you in law enforcement actually know that  
17 without me tell you. And we've been given the  
18 authority, at this particular institution, to our class  
19 that will start in two weeks is 135 in number. We've  
20 gotten a waiver of a 75-person rule to actually start  
21 135. And then that's not even keeping up with demand.  
22 And it's numerous issues.

23 Obviously, these are tough times to be in law  
24 enforcement, so there's some disillusionment and people  
25 leaving. There's been some massive changes in pension

1 plans that have caused people to go on and retire. And  
2 then, finally, all the growth in the 80's, like when I  
3 got in law enforcement, my contemporaries are retiring  
4 now. So we can't do enough training.

5 Plus, on top of that, it looks like we're  
6 going to get very good legislation providing money to  
7 populate those schools that don't have school resource  
8 officers, and that's going to be 500 new officers that  
9 are going to have to be trained somehow, somewhere, here  
10 in Tennessee. 500 officers is our entire annual output  
11 at this academy. And the other academies are running at  
12 capacity. I know Memphis is doing hundreds of officers  
13 at a time. Metro is. The last commission voted to  
14 authorize us to explore establishing a Tennessee Law  
15 Enforcement Training Academy West, in Madison County  
16 area. Senator Jackson is familiar with this idea.

17 We do have two general academies aside from  
18 this one. This academy, which is kind of like the POST  
19 academy, does 55 percent of all basic training. The  
20 vast majority of the rest of basic training is done by  
21 departmental academies that train their own people.

22 There are two boards of regents institutions  
23 in Tennessee that have been approved to run basic  
24 recruits courses, and they're running at capacity also.  
25 And they do a few classes, and a couple of the

1 department academies will do the regional academies and  
2 allow other people to go there. But not a week goes by  
3 that somebody doesn't call and ask me how they can start  
4 an academy. Academies are not a money-making  
5 proposition, and there's not a market out there, really,  
6 for more.

7           This hiring surge will change. We will be  
8 back down to 60 people in a class at some point, but  
9 we've had some difficulties, historically, with the  
10 other general academies complying with rules, and past  
11 commissions have been -- that's why you saw one had to  
12 appear today, past commissions have really wanted to  
13 have everything in order.

14           The community college model has failed in  
15 other states. We see lots of deficiencies from Georgia  
16 and Florida in the 600 community college efforts out  
17 that. So what your rules require is a department that  
18 demonstrates a need for 100 officers a year to be  
19 trained to start a departmental academy, and for a  
20 general academy that's going to train just anybody, to  
21 be a total emersion dormitory setting-type environment.  
22 You produce better officers when you're training other  
23 peoples' officers, when you have a paramilitary model.  
24 You turn out a little bit better disciplined officer  
25 with better retention rate. That's just the history and

1 track record and our recommendation. So I will be  
2 pursuing the West Tennessee alternative.

3 We attempted a West Tennessee Academy maybe  
4 four or five years ago and had everything, facilities  
5 and everything lined up, and only six people enrolled.  
6 But I'm assured there's agencies that want to try to do  
7 this again, and we've got a good environment available  
8 in West Tennessee. But the past academy wanted it to be  
9 a TLETA product, if you follow that. We will hire  
10 people from local areas. And our staff -- we've been  
11 augmented in the past two years, to where our staff is  
12 bigger than ever to reach this demand. We've actually  
13 -- when we have those 135 people here -- we have them in  
14 smaller groups more often, we have them on one-on-one  
15 more often now, because we've got enough personnel to do  
16 that. But we're going to have to expand, it's going to  
17 cost money.

18 But like I said if this grant money for SRO's  
19 comes out, the demand and the priority is going to be  
20 for those 500 of our 2700 schools that don't have SRO's  
21 to get one. And, yes, some of our veteran officers are  
22 going to want those roles, and then we're going to have  
23 to backfill. We're going to have vacancies in patrol.  
24 So that's what we're looking at. And you're coming  
25 right when all this is going to hit, so -- yes.

1           MADAME CHAIR BAKER: The grant money is for  
2 the schools to hire SRO's, not for the training?

3           DIRECTOR GRISHAM: Yeah, not for us to train  
4 them. I don't know who's going to pay for that. And  
5 the tuition that agencies pay us, only covers a third of  
6 the cost of the actual training that we conduct. We  
7 spend three times more money on them than the tuition  
8 provides. It's just like a college or university model.  
9 So it's an expensive undertaking, and we are absolutely  
10 at capacity with our facility, and which hasn't been  
11 improved since 2004. So we continue to be the best,  
12 though, and try our best. So just letting you know all  
13 that's going on.

14           Finally, against her wishes, I'm sure, I  
15 wanted to recognize Janine Breeden for her 35 years of  
16 service. Lucky she's pinch-hitting today. I didn't  
17 have to force her to come in the room. She's been with  
18 the State of Tennessee for 35 years.

19           COMMISSIONER SPANGLER: Wow...

20           DIRECTOR GRISHAM: Thank you. Trivia, Tom  
21 Burnley, teach you in firearms? This is his daughter.  
22 Mr. Burnley, we lost him last year. He made it to the  
23 50th Anniversary and passed away a couple of years ago.  
24 But Janine does a great job behind the scenes.

25           That's all.

1 MADAME CHAIR BAKER: And she started when she  
2 was five.

3 MS. BREEDEN: Thank you. Yeah, I'm really not  
4 old.

5 MADAME CHAIR BAKER: Any other business?

6 COMMISSIONER FORRESTER: Oh, is there any  
7 update on the public hearing for the rules?

8 MR. UNDERWOOD: Well, the Governor's executed  
9 order still stands until May 2nd, so we will know more  
10 after that.

11 COMMISSIONER FORRESTER: All right. And then  
12 second, since we have mostly a new commission, would it  
13 be possibly to get a list of all the authorizations and  
14 such that the previous commission has given, as far  
15 discipline and whatnot? That way the current commission  
16 can modify it however they see fit.

17 MR. UNDERWOOD: I don't know if we have record  
18 of that or not.

19 DIRECTOR GRISHAM: I don't know that we would  
20 have a spreadsheet or anything we could produce that  
21 from, but you know, there's a lot of just track record  
22 information. It's hard to -- other than court cases and  
23 AG's opinions, I don't know that we could just really  
24 get our hands around it. That's why I'm just trying to  
25 speak up as we go along.



1           MR. UNDERWOOD: We are currently -- regarding  
2 rulemaking, we have drafted amendments to the ten  
3 chapters of the POST Commission Rules. Of course, those  
4 are not effective. We would have to file those rules  
5 after approval by the department and the AG's office and  
6 the Governor's office, the federal to have a hearing,  
7 which you-all would be the panel at the hearing for  
8 rulemaking and have the determination to vote on whether  
9 to accept changes to rules or make changes yourself.  
10 But there would be a time for a public-comment period,  
11 for the public to appear at the hearing as well, and  
12 make comments on the proposed rules and so forth.

13           That would be something I anticipate later  
14 this summer, most likely, with regarding -- the governor  
15 put a moratorium on issuing new rules while he's -- the  
16 first days of office here, which started with the new  
17 administration. But that will be something that will be  
18 coming to you and will be handled in a hearing -- in a  
19 meeting like this, of POST Commission, in this year, and  
20 it would change probably all ten chapters.

21           But I will be communicating that to you and  
22 providing you those copies, so you'll be able to see  
23 them and review them and to ask questions or have  
24 discussions of those matters prior to any vote or  
25 anything to that point. But that's the rulemaking

1 processing we're currently undergoing in that regards.

2 DIRECTOR GRISHAM: So those of you who may  
3 think that 2:00 p.m. on Wednesday, April 17th is a rule  
4 hearing, that will be postponed until the moratorium is  
5 lifted, correct?

6 MR. UNDERWOOD: Right. The next meeting will  
7 be April the 17th, Wednesday, April the 17th, will be  
8 the next meeting -- not Wednesday, I'm sorry, Thursday,  
9 the 18th.

10 DIRECTOR GRISHAM: Thursday, April 18th, at  
11 9:30 is the next business meeting because of Good  
12 Friday.

13 MADAME CHAIR BAKER: And there's no decert  
14 hearings?

15 DIRECTOR GRISHAM: There is decert. There's a  
16 full decertification docket, so --

17 MR. UNDERWOOD: On 1:00 on that Thursday, so  
18 after the meeting. Usually, we have a decertification,  
19 informal, and the subcommittee would meet on the  
20 Thursday before the Friday commission meeting, but due  
21 to Good Friday being a State holiday, we have moved the  
22 formal business meeting to 9:00 on that Thursday, April  
23 the 18th, and then the subcommittee will be at 1:00.

24 You can stick around and see what they do in  
25 those situations, but what we do is, we receive requests

1 from agencies that have terminated or suspended or  
2 officers who have left or been arrested for various  
3 charges and so forth, we receive requests from agencies  
4 to decertify those officers so that they cannot go from  
5 one agency to another agency and starting working as a  
6 law enforcement officer.

7           They're basically asking us to -- asking the  
8 Commission to determine whether these officers need to  
9 stay in this profession and (indiscernible) will review  
10 those to determine whether this meets enough merit to go  
11 forward with a full hearing before the Commission for a  
12 vote, where you will serve as the jury in that matter,  
13 where you will be able to ask questions.

14           We will go over that process at other date and  
15 time, but it will be under the Uniform Administrative  
16 Procedures Act, a formal hearing to determine and  
17 officer's -- it's like a courtroom hearing, with legal  
18 counsel. We swear in witness. We will present  
19 evidence -- your attorneys will present evidence  
20 regarding this matter. They will be able to  
21 cross-examine witnesses. There's a judge that will be  
22 there to administer rules of evidence and procedures and  
23 so forth, but you would be the ultimate determiners of  
24 fact and the application of the law.

25           GENERAL CHERRY: We'll be able to ask

1 questions?

2 MR. UNDERWOOD: You'll be able to ask  
3 questions, yes. This is unusual from most -- it's a  
4 quite different setting, different from a courtroom,  
5 where the jury exactly gets to cross-examine the  
6 witnesses themselves. Sometimes, defense attorneys, it  
7 throws them off a little bit. I find it very  
8 comforting. If I forgot to ask something that you're  
9 wondering about, you get to ask about it. But that's --  
10 but we will go over this when we get closer to the date.  
11 We're not scheduling that in April. We may have one in  
12 May, but before that, we will advise you and provide  
13 more guidance on that, regarding that matter.

14 MADAME CHAIR BAKER: So April is informal?

15 MR. UNDERWOOD: April is informal.

16 DIRECTOR GRISHAM: April 18th is -- the four  
17 of you who volunteered is by trial by fire because  
18 there's a full docket at 1:00 p.m. after the POST  
19 hearing.

20 MR. UNDERWOOD: For the rest of the  
21 Commissioners, you'll be delighted to know, they'll be  
22 out, they'll be done by 1:00, to be out before the  
23 formal hearing. So...

24 DIRECTOR GRISHAM: And I will feed you that  
25 day. The academy operates Sunday through Thursday, so

1 we'll have lunch for you that need to stay over if you  
2 want it.

3 GENERAL CHERRY: Regular business meetings are  
4 at 9:00 or 9:30?

5 DIRECTOR GRISHAM: 9:30.

6 MR. UNDERWOOD: 9:30.

7 COMMISSIONER CHERRY: Okay.

8 DIRECTOR GRISHAM: All our public meetings are  
9 posted on our website if you want to look ahead. I  
10 think we did send you a schedule out, of the coming  
11 meetings. Usually, it's every other month for an  
12 informal proceeding. It just depends on the requests.  
13 We usually react for requests for decertifications by an  
14 agency. Sometimes the POST Commission will initiate  
15 decertification proceedings on its own and ask our  
16 investigators to look into things.

17 MR. UNDERWOOD: The other authority of the  
18 Commission, as you saw today, is the pay supplement. We  
19 review all pay supplements and training for the year and  
20 issue payments for that amount. They will report that  
21 throughout the year. Fiscal year ends June 30th of this  
22 year. So they have (indiscernible) to do within six  
23 months.

24 DIRECTOR GRISHAM: How many batches have we  
25 done?

1 JANINE BREEDEN: Nine.

2 MR. UNDERWOOD: So how many officers are you  
3 paying for supplement across the state?

4 DIRECTOR GRISHAM: We will pay 14,750  
5 officers. That's how many local law enforcement  
6 officers there are out there.

7 MR. UNDERWOOD: So they will review the  
8 training of each officer through the year for that.

9 MADAME CHAIR BAKER: All right. Anything  
10 else?

11 DIRECTOR GIRSHAM: Anybody got any questions?

12 MADAME CHAIR BAKER: Motion to adjourn?

13 GENERAL CHERRY: So moved.

14 COMMISSIONER PARTIN: Second.

15 MADAME CHAIR BAKER: Motion and second to  
16 adjourn. All in favor. (Aye.)

17 (Meeting adjourned.)

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## 1 CERTIFICATE OF REPORTER

2  
3 I, Angela Russell, LCR, Tennessee Licensed  
4 Court Reporter, do hereby certify that I recorded to the  
5 best of my skill and ability by machine shorthand all  
6 the proceedings in the foregoing transcript; and that  
7 said transcript is a true, accurate, and complete  
8 transcript to the best of my ability.

9 I further certify that I am not an attorney or  
10 counsel of any of the parties, nor a relative or  
11 employee of any attorney or counsel connected with the  
12 action, nor financially interested in the action.

13 SIGNED this 4th day of June, 2019.  
14  
15

16 \_\_\_\_\_  
17 Angela Russell, LCR  
18 LCR #096, EXP: 6/30/2020  
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21  
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23  
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