

MINUTES

STATE POLICE COMMISSION

JANUARY 18, 2001

The State Police Commission convened its monthly meeting at 9:15 a.m. in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard, Baton Rouge, Louisiana. Present were Chairman Baxter W. Welch and Members Joseph S. Cage, Jr., Patrick M. LaSalle and Theodore J. Newnam. Vice-Chairman Gary M. Clark and Member Steve Thompson were absent. There still exists one vacancy as of this meeting date.

Pursuant to the provisions of State Police Commission Rule 2.1(b), an election was held for the positions of Chairman and Vice-Chairman. Baxter W. Welch was reelected Chairman and Steve Thompson was elected Vice-Chairman.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the Minutes from the October 19, 2000 and November 16, 2000 meetings.

The Commission heard comments from Debra Johnson and Colonel Terry Landry regarding the test administration of promotional examinations to be administered January 31st. Comments were received from Charles Dupuy, President of the Louisiana State Troopers' Association, requesting reconsideration of the January 31st testing date; requesting reconsideration of the necessity of meeting minimum qualifications to participate in examinations; consideration of twice a year testing; questioned the legitimacy of the testing process; and requested the

establishment of a make-up exam date. Questions were brought up by Wilbert Sanders, President of the Central State Troopers' Coalition, regarding the Department of State Civil Service administering our promotional examinations. Lieutenant Donald White suggested that the Commission establish definitive guidelines for promotional examinations, and not change them from year to year. He also voiced his support for twice a year testing. The Commission took this matter under advisement.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to appoint Norman Ershler as Referee in the following appeals:

Appeal of Timothy Bender, Docket No. 00-102-S;
Appeal of Reuben O. Berry, Jr., Docket No. 00-104-D; and
Appeal of Robert D. Brown, Docket No. 01-105-R.

The Commission received a package from Charles Dupuy, regarding conducting a pay study of Troopers' pay, and requesting that pay adjustment meetings be held. Colonel Landry expressed that he would support a pay raise for support personnel first.


Following a presentation by Nancy DeWitt, pursuant to the provisions of State Police Commission Rule 6.16(d), the Commission granted a \$500 pay incentive award to Captain Mitchell, Lieutenant Bourgeois and Master Trooper Hutchinson.

The Commission reviewed the Director's Reports for the months of October, November and December 2000, as included in the agenda binders. At the conclusion of the Director's Report, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss pending litigation and

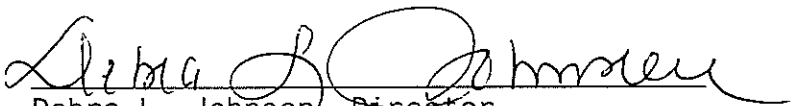
testing issues. At the conclusion of its executive session, the Commission reentered into its public session. By majority vote of Members Cage, LaSalle and Newnam, promotional exams will be administered as scheduled, and Colonel Landry will advise Ms. Johnson of any candidates needing an alternative testing date. Chairman Welch voted in opposition.

There being no further business on the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn at 12:30 p.m.

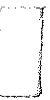
Respectfully submitted:



Baxter W. Welch, Chairman



Debra L. Johnson, Director

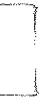


MINUTES

STATE POLICE COMMISSION

FEBRUARY 15, 2001

This meeting was canceled due to the lack of agenda items.



MINUTES

STATE POLICE COMMISSION

MARCH 15, 2001

The State Police Commission convened its monthly meeting at 9:15 a.m. on Monday, March 15, 2001, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana. Present were Chairman Baxter W. Welch; Vice-Chairman Steve Thompson; and Members Joseph S. Cage, Jr., Brooke Duncan, III and Theodore Newnam. Absent were members Gary M. Clark and Patrick M. LaSalle.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the Minutes from the January 18, 2001 meeting.

The Commission reviewed the Director's Reports for the months of January and February 2001, as included in the agenda binder. Ms. Johnson advised the Commission of a \$38,000 budget cut for the current fiscal year.

No action was taken on the Director's request for a pay raise.

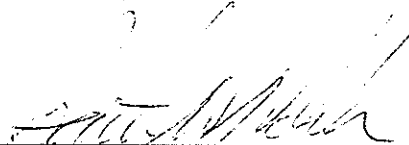
On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss pending litigation. At the conclusion of the executive session, the Commission reentered into its public session.

The Commission requested that the Director disseminate clarification of the pass point on promotional examinations to the state police force; prepare a report on the past twelve month accomplishments of the Commission, as well as a report on any

anticipated issues facing the Commission in the upcoming twelve month period; requested resumes from the Assistant Attorney Generals that will be representing the Commission/office beginning in fiscal year 2001/02; requested an update on the pay study which was requested by the Commission in January 2001, all to be submitted at the April 19, 2001 meeting.

There being no further business on the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn at 11:40 a.m.

Respectfully submitted:



Baxter W. Welch, Chairman

Debra L. Johnson, Director

MINUTES

STATE POLICE COMMISSION

APRIL 19, 2001

The April 19, 2001 meeting was canceled due to a lack of agenda items.



MINUTES

STATE POLICE COMMISSION

MAY 17, 2001

The State Police Commission convened its monthly meeting at 9:10 a.m. on Monday, May 17, 2001, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana. Present were Chairman Baxter W. Welch; and Members Gary M. Clark, Joseph S. Cage, Jr., Brooke Duncan, III, Patrick M. LaSalle and Theodore Newnam. Vice-Chairman Steve Thompson was absent.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the Minutes from the March 15, 2001 meeting.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to assign the Appeal of Reuben O. Berry, Jr., Docket No. 01-106-O to a Referee.

The public hearing of the appeals of **Reuben O. Berry, Jr.**, Docket Nos. 00-104-D and 01-106-O (consolidated) was called. The issue of the timeliness of the appeal in Docket No. 01-106-O was referred to the merits. Argument was received on the Commission's Order to Show Cause and appellee's Motion for Summary Disposition, after which those matters were taken under advisement. Appellant then filed an oral Motion for Summary Disposition in Docket No. 00-104-D, based on lack of notice. After argument, the Referee denied appellant's Motion. Testimony was then received on the merits of these consolidated appeals, at the conclusion of which the appeals were taken

under advisement, subject to the record being held open for receipt of certain evidence.

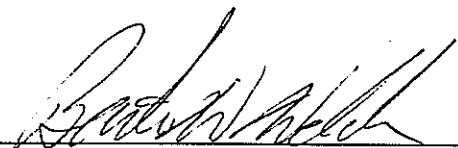
On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss pending appeals. At the conclusion of the executive session, the Commission reentered into its public session.

The Commission reviewed the Director's Reports for the months of March and April 2001, as included in the agenda binder.

The Commission considered, but took no action on the Director's request to attend the NOBLE Training Conference in July.

There being no further business on the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn at 1:04 p.m.

Respectfully submitted:



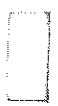
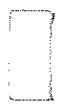
Baxter W. Welch, Chairman



Debra L. Johnson, Director

MINUTES
STATE POLICE COMMISSION
JUNE 21, 2001

The June 21, 2001 meeting of the State Police Commission was canceled due to the lack of agenda items.



MINUTES
STATE POLICE COMMISSION
JULY 19, 2001

The State Police Commission convened its monthly meeting at 9:18 a.m. on Thursday, July 19, 2001, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana. Present were Chairman Baxter W. Welch; Vice-Chairman Steve Thompson; and Members Patrick M. LaSalle and Theodore Newnam. Members Joseph S. Cage, Jr., Gary M. Clark and Brooke Duncan, III were absent.

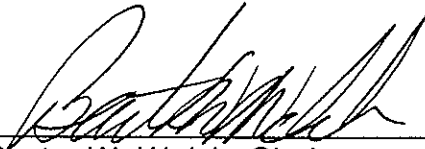
On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the Minutes from the May 17, 2001 meeting.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to assign the Appeal of Ricky D. Fox, Docket No. 01-107-D/S to a Referee.

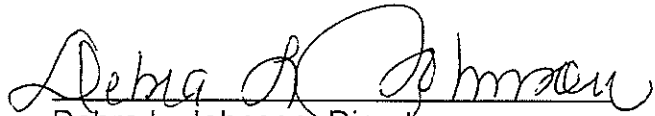
On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss pending litigation. At the conclusion of the executive session, the Commission reentered into its public session.

There being no further business on the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn at 11:10 a.m.

Respectfully submitted:



Baxter W. Welch, Chairman



Debra L. Johnson, Director

MINUTES

STATE POLICE COMMISSION

AUGUST 17, 2001

The August 17, 2001 meeting was canceled due to the lack of a quorum of members available.



MINUTES
STATE POLICE COMMISSION
SEPTEMBER 20, 2001

The State Police Commission convened its monthly meeting at 9:10 a.m. on Thursday, September 20, 2001, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana. Present were Chairman Baxter W. Welch; and Members Brooke Duncan, III, Patrick M. LaSalle, and Theodore Newnam. Member Marshall Stevenson was appointed effective June 19, 2001, replacing Member Gary M. Clark. Mr. Stevenson was administered the oath of office by Tina Grant.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to amend the agenda to allow the request by the Association to bring forth some issues that were adopted at their convention. Comments were received from V. David DeVillier, Executive Director of the Louisiana State Troopers Association; and Charles R. Dupuy, President of the Louisiana State Troopers Association. The issues/resolutions were previously submitted to the Commission through the following pieces of correspondence:

- a. Undated letter, received by the Commission on August 27, 2001, addressed to Chairman Welch from V. David DeVillier;
- b. Letter dated August 28, 2001 to Governor Mike Foster from V. David DeVillier;
- c. Letter dated August 31, 2001 to Colonel Terry Landry from V. David DeVillier; and
- d. Letter dated August 31, 2001 to Debra Johnson from Charles Dupuy.

Issues discussed were cancellation of commission meetings; rules contain issues unrelated to State Police and have not been updated in eleven years; Director was never confirmed; Commission violates its own rules; Commission not fulfilled obligations under the rules; Rule 2.15 is not on web site; Commission agendas not timely published; Commission's repeated violations of open meetings laws; members should have handbook; establishment of pass point on promotional examinations; promotional examinations should be pass/fail; violation of rules regarding submission of annual pay plan; necessity for pay study; lack of keeping track of educational background of troopers; participation in promotional examination prior to meeting minimum qualifications; departmental payment of moving costs in conjunction with an involuntary change in duty station; Commission's practice of legal fees capped at \$500; charging of compensatory leave when annual leave is requested; necessity for appeal hearings prior to imposition of disciplinary action; Commission hearing appeals one hour at a time; utilization of Referee in appeal hearings; conflicting rules regarding restricted political activity; promotions being made from outside the list; request for expedited appeal hearings; request that rules be rewritten; promotional examination date be rescheduled to March 2002; inconsistent pass points for promotional examinations; setting of pass points not explained; and require multiple opportunities to test annually.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the Minutes from the July 19, 2001 meeting.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to assign the following appeals to a Referee:

- e. Appeal of Keith Phenix, Docket No. 01-108-R;

- f. Appeal of Robert Guilbeaux, Docket No. 01-109-S;
- g. Appeal of Timothy Fitzpatrick, Docket No. 01-110-O;
- h. Appeal of Blaine Matte, Docket No. 01-111-S; and
- i. Appeal of Stanley Crawford, Docket No. 01-112-O.

The Commission received comments from Colonel Terry Landry concerning the following: recognized accomplishments of Commission staff in improving promotional examinations; feels it would be an injustice to ask for pay incentives now; with continued hard work and patience, pay initiatives would be given to troopers; intends to follow Governor Foster's initiative on pay; cited problems with manpower allocations; challenges troopers to identify any benefits lost in the past four years as a result of an act by the superintendent's office; opposes appeal hearings prior to discipline being imposed; questions association's legal standing to come before Commission and act as a union; doesn't feel like the department has been given the proper protocol; association has not attempted to establish communication with the department; that the Colonel's responsibility is to the citizens of the State of Louisiana and to the Governor that he serves; discussed his development and utilization of an assessment center process for lieutenant positions; resents and resists the association's attempt to run the department, but will abide by any rulings of the Commission; and suggested that the needs of the few should not take precedent of the needs of the many.

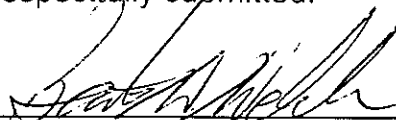
During the Director's Report, the Chairman requested an explanation for establishing January 8th, 2001 as promotional testing date, and voiced opposition to the scheduled test date. On motion duly made and seconded, by unanimous vote of the members present, the exam date was changed from January 9th to March 15, 2002, for

the 2002 testing cycle only. Chairman proposed a rule change to allow candidates to test prior to meeting minimum qualifications for the position applied for. Rule change will be presented at the November 15, 2001 meeting. Discussion was had on Ms. Johnson's request to attend the International Personnel Management Association conference in October. Ms. Johnson withdrew the travel request, as well as any others that may be pending for later in the year. Member Duncan requested a plan for going into the future, as to what the Director plans to accomplish. Ms. Johnson provided the members present with a copy of the five year strategic plan. The members were asked for input in the upcoming budget preparation process. Ms. Johnson was directed to prepare the budget. The members requested that Ms. Johnson prepare a proposal for rule revisions, to be presented at the November 2001 meeting. Ms. Grant was asked to try to expedite the hearing in the Bender matter. The Chairman inquired as to whether the Commission was the subject of an investigation by the Governor's Executive Counsel. Ms. Johnson stated that she had not been officially advised of any formal investigation.


On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss pending litigation. At the conclusion of the executive session, the Commission reentered into its public session.

There being no further business on the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn at 12:50 p.m.

Respectfully submitted:



Baxter W. Welch, Chairman



Debra L. Johnson, Director



MINUTES

STATE POLICE COMMISSION

OCTOBER 18, 2001

The State Police Commission convened its monthly meeting at 9:05 a.m. on Thursday, October 18, 2001, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana. Present were Chairman Baxter W. Welch; and Members Brooke Duncan, III, Patrick M. LaSalle, and Marshall Stevenson. Vice-Chairman Steve Thompson and Joe Cage were absent. Member Theodore Newnam arrived subsequent to the Commission entering into its executive session.

The Commission received a presentation from Ms. Johnson regarding repeal and re-enactment of State Police Commission Rule 11.26, General Circular No. 115. Comments were received from Lt. Colonel Danny Baxter and Kathy Williams. On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to repeal and reenact Rule 11.26.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the Minutes from the September 20, 2001 meeting.

The public hearing of the appeal of Timothy C. Fitzpatrick, Docket No. 01-110-O, was called. Appellant requested that the matter be withdrawn from the Commission's docket.


Ms. Johnson provided the members with a copy of the strategic plan. The Commission received comments from Ms. Johnson regarding rule revisions and budget


preparation. It was requested that Ms. Johnson provide the Commission with a detailed plan for upcoming rule revisions at the November 15, 2001 meeting.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss pending litigation. At the conclusion of the executive session, the Commission reentered into its public session.

There being no further business on the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn at 11:06 a.m.

Respectfully submitted:


Baxter W. Welch, Chairman


Debra L. Johnson, Director

MINUTES

STATE POLICE COMMISSION

NOVEMBER 15, 2001

The State Police Commission convened its monthly meeting at 9:25 a.m. on Thursday, November 15, 2001, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana. Present were Chairman Baxter W. Welch; and Members Brooke Duncan, III, Patrick M. LaSalle, Theodore Newnam and Marshall Stevenson. Vice-Chairman Steve Thompson and Member Joseph Cage were absent.

There were no employees present at the employee opportunity to address the Commission.

Colonel Terry Landry requested that the repeal and reenactment of State Police Commission Rule 2.1(a) be withdrawn from the docket, to be presented at a later date.

The Commission received a presentation from Chairman Welch regarding repeal and re-enactment of State Police Commission Rule 7.9(a)2.a., General Circular No. 114. Comments were also received from Colonel Terry C. Landry. Upon completion of the presentation, there was no motion made to accept the proposed change. Therefore, the rule will remain unchanged.

The Commission received a presentation from Colonel Terry C. Landry, Tina Boudreaux and James Dixon concerning repeal and reenactment of State Police Commission Rules 6.25 and 11.29(f), General Circular No. 117. On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the repeal and reenactment of Rules 6.25 and 11.29(f), with an effective date of November 15, 2001.

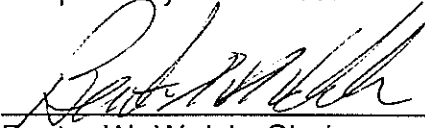
On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the Minutes from the October 18, 2001 meeting.

The public hearing of the appeal of Keith Phenix, Docket No. 01-108-R, was called. At the conclusion of the stipulations, exhibits and evidence presented by the appointing authority, the appointing authority moved for a Directed Verdict. On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss the Motion. At the conclusion of the executive session, the Commission reentered into its public session. On motion duly made and seconded, by unanimous vote of the members present, the Motion for Directed Verdict was granted. Written reasons will be forthcoming.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss pending litigation. At the conclusion of the executive session, the Commission reentered into its public session.

There being no further business on the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn at 1:30 p.m.

Respectfully submitted:


Baxter W. Welch, Chairman


Debra L. Johnson, Director

MINUTES

STATE POLICE COMMISSION

DECEMBER 20, 2001

The State Police Commission convened its monthly meeting at 9:02 a.m. on Thursday, December 20, 2001, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana. Present were Chairman Baxter W. Welch; and Members Brooke Duncan, III, Patrick M. LaSalle, Theodore Newnam and Marshall Stevenson. Vice-Chairman Steve Thompson and Member Joseph Cage were absent.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to enter into an executive session to discuss pending litigation. At the conclusion of the executive session, the Commission reentered into its public session.

There were no employees present at the employee opportunity to address the Commission.

The Commission received a presentation from Ms. Johnson regarding repeal and re-enactment of State Police Commission Rule 8.8, General Circular No. 116. On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the repeal and reenactment of Rule 8.8, with an effective date of December 20, 2001.

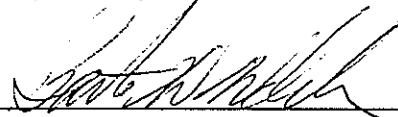
The Commission received comments from Ms. Tina Boudreaux and Mr. Floyd Falcon regarding repeal and reenactment of State Police Commission Rules 12.2(b), 12.7(a) and 12.9(a) and (b). At the conclusion of the presentation, Ms. Boudreaux requested that the matter be withdrawn from the Commission's agenda.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the Minutes from the November 15 2001 meeting.

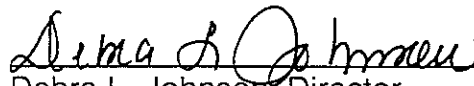
The public hearing of the appeal of Ricky D. Fox, Docket No. 01-107-D/S, was called. The Commission received stipulations, testimony and evidence, until 2:10 p.m. The remainder of the matter will be heard by Ms. Tina Grant on January 30, 2002, and copies of the tape recordings forwarded to the participating members.

There being no further business on the Commission's agenda, on motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adjourn at 2:15 p.m.

Respectfully submitted:



Baxter W. Welch, Chairman



Debra L. Johnson, Director