

MINUTES FOR POST COMMISSION COMMITTEE MEETING
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The Tennessee Peace Officer Standards and Training Commission met on Friday, May 20, 2016, at 9:30 a.m., at the Tennessee Law Enforcement Training Academy, 3025 Lebanon Road, Nashville, Tennessee.

Vice-Chairman Carl Jenkins called the meeting to order and recognized Mr. Brian Grisham, Executive Secretary, who read the following disclaimer: All POST Commissioners have previously agreed to recuse themselves from any vote that would constitute a conflict of interest. The most obvious of these would include issues that involve our own departments or someone we know personally. Because we have already agreed to this, it should be noted that on routine matters, it will be assumed nonverbally that these commissioners have abstained from that vote. In bigger, more controversial issues that may have a more overt conflict of interest or may have an appearance of impropriety, applicable commissioners will still verbally abstain from those votes.

Vice-Chair Jenkins entertained a motion for adoption of the agenda, which was so moved by Commissioner Lewis, seconded by Commissioner Baker. The motion carried.

Mr. Ray Farris conducted roll call, which reflected the presence or absence of the following commissioners: Baker - present; Chrisman - present; Hannon - present; Jenkins - present; Lewis - present; Long - present; Wallace - absent; Williamson - absent; Wilson - present; Sen. Bell - present, General Cherry - present.

A quorum was noted to be present.

Vice-Chair Jenkins called for a motion for approval of the April 15, 2016 POST Commission meeting. Commissioner Lewis moved for approval, seconded by Commissioner Chrisman. The motion carried.

The Informal Hearing Committee did not meet in May.

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

Dayton PD - Request a waiver for Reserve Officer Mark Eldridge who has had some arrests in the past (Aggravated Assault 1994 dropped 1994, DUI 1992 found guilty, Simple Battery 1989 found guilty, and Bad Checks 1989 found guilty) all fines were paid. Mr. Eldridge has not had any problems in 22 years and has proven to be a citizen of good character. Chief Sneed is asking for this request to be granted only because he knows Mr. Eldridge and the hard work he is doing in our community and would not ask for such a waiver if he did not feel Mr. Eldridge's character was not worthy.

There was no one present from Dayton PD. Gen. Cherry commented he would like to have Mr. Eldridge appear to answer questions from the commission. Director Farris noted the department was notified they needed to appear.

Gen. Cherry moved to place this matter at the end of the agenda to see if anyone appears on the matter, seconded by Commissioner Wilson. The motion carried.

Dickson Police Department - Request Corporal Andrew Barrow be allowed to return to the department following his indictment for Aggravated Cruelty to Animals T.C.A. 39-14-212, by the McEwen Police Department. On April 13, 2016 Mr. Barrow plead to a misdemeanor

Cruelty to Animals T.C.A. 39-14-202 Judicial Diversion. He was placed on supervised probation for eleven months, twenty-nine days with the following conditions:

Random animal welfare checks as a condition of probation or the defendant can voluntarily re-home any animal currently in his care. Defendant shall not own any pets. Defendant shall register under the "Tennessee Animal Registration Act" and make a \$250.00 donation to the Humphreys County Humane Society and pay court costs.

Mr. Barrow was present requesting the waiver. Commissioner Baker asked Mr. Barrow if he is still on probation. Mr. Barrow affirmed.

Commissioner Long asked Mr. Barrow to give some facts surrounding the charges. Mr. Barrow explained he had a fifteen-year old boxer that was like family to him. He said the dog was old and skinny and was dying. Mr. Barrow said he could not put the dog down. The dog would walk in the back yard and lay down. He said he did not feel he was neglecting the dog but rather letting nature take its course. Mr. Barrow said he was initially charged with a felony even though he felt he did not meet that criteria but was told it was because of the grand jury. His wife was also charged. Mr. Barrow said with his plea, the charges against his wife were dropped. He said he told his chief and anyone he talked to that he was a husband and a father long before he was a cop and had to do what he thought was in his family's best interest to protect his wife and, therefore, took a plea.

Commissioner Wilson asked Mr. Barrow how the allegations of abuse came forward. Mr. Barrow answered he and his family went on a small trip for three days. At first, he was told someone was driving down the road and looked in the back yard and saw the dog. Mr. Barrow said that would be impossible because there is a wood fence on three sides and a chain link fence on one side, and someone driving down the road would not be able to see in his back yard. Mr. Barrow said he later learned it was supposedly a meter reader who went into the back yard to read the meter, saw the dog lying underneath the tree, thought he did not look well, and called the police. Mr. Barrow said he did not find that out until he appeared before the grand jury. Mr. Barrow said his mother would check on the dog to be sure he had food and water. However, that weekend, her car broke down, which Mr. Barrow did not know about until he left on his trip. He said he did have a five-gallon bucket of water and plenty of food for the dog. The officer made note of that in the record. Mr. Barrow said he would place the empty dog food bags on a landing and let them pile up until he had enough to take to the dump. The officer saw the several empty food bags and knew the dog had been well fed. Mr. Barrow acknowledged the dogs had fleas, although he had sprayed numerous times, two or three times just recently, and was unable to get rid of the fleas. Since that time, he has used the company the veterinarian recommended.

Mr. Barrow said he does have one boxer and was allowed to keep that dog through this probationary period. He is not allowed to gain any more animals during the period. Mr. Barrow said there are no fleas at this point. Commissioner Baker asked if the hookworms have been eliminated. Mr. Barrow said he did not realize there were any hookworms present but when he found out they were there, he treated everything he was asked to treat and has done everything he has been asked to do.

Chief Chandler explained Mr. Barrow is on administrative leave and is currently working with the parks department pending the outcome of today's hearing. Sen. Bell asked Mr. Barrow why he agreed to a plea. Mr. Barrow answered his attorney explained any time an animal is involved, it is kind of tricky to appear before a jury. At the same time, his wife was also charged. As part of the plea, he would have a year's diversion and charges dropped against her. Mr. Barrow said he had to do what was best for his family and get her out. He said the dogs are registered to him and belong to him. Sen. Bell asked who did the investigation and was it an anonymous complaint. Mr. Barrow said that is what was told him. The McEwen

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Police Department conducted the investigation. The Humphreys County Humane Society kept the dog for a week. He said he was told if he had an issue with that, they would come and arrest him right then, so he left that alone. The dog was returned after a week after the Humane Society came out and looked at his house. His mother was at the house and allowed them in and to look around. They told his mother that the dogs had a great setup with a 1400 foot basement underneath the house and a half-acre fenced in back yard to run.

Mr. Barrow said his understanding is the diversion will end in April 2017.

Commissioner Baker moved to deny the waiver, seconded by Commissioner Wilson.

Sen. Bell commented he did not know much about the situation other than what they have on paper before them but that he is highly suspicious of animal rights groups and humane societies and believe most of the time they have a political agenda behind them, and he would vote against the motion to deny.

Gen. Cherry commented he also has a geriatric dog and has tried expensive foods, made the dog omelets, and now makes him French toast with peanut butter and feeds it to him a bite at a time to get him to eat. He said he understands the hassle and problems with an aging dog to get them to eat and keep their care up and he spends more on healthcare costs on the dog than he does his children. Gen. Cherry said he sympathizes with what Mr. Barrow is going through and knows how difficult it can be to control fleas and worms and may not know it is happening and is expensive getting to the vet. He said he also is suspicious of folks who would look in the back yard and jump to judgment. Gen. Cherry added he loves animals and when he sees abuse to animals, it gets him excited. He remarked he is inclined to give Mr. Barrow benefit of the doubt with what he is saying. However, the problem is Mr. Barrow is still under the jurisdiction of the court until April of 2017 and hesitates to grant the waiver until this matter is cleared, and that would be his only reason to support denial of the waiver.

Commissioner Chrisman asked Chief Chandler if Mr. Barrow would remain assigned to administrative duty with the parks department if the motion is denied. Chief Chandler answered if it is denied, Mr. Barrow would lose his job unless there is another job available in Dickson.

Commissioner Baker remarked that having made the motion, she hates for anyone to lose their job and this is not personal. She explained the motion was made for two reasons (1) for being under the jurisdiction of the court, but also because in reading the supporting documentation, there is more to the story. Apparently when the dog was found, they gave it food and water and the dog appeared to be ravenous and very thirsty. They also talk about the hookworms and how it made everything worse as far as the health condition of the dog. She said it was not just an aging dog but an aging dog that was not cared for and basically left to die according to the supporting documentation and Mr. Barrow's guilty plea. The commissioner said she thinks people who do not take care of animals and abuse animals have a bigger issue than just the animal, which thought has been supported through many psychological studies, which gives her concerns about Mr. Barrow being in the police department. Commissioner Wilson agreed.

Gen. Cherry replied this is one of those cases where he wishes Mr. Barrow had presented his case to the jury, although he understands the reason why people can be persuaded to make a plea that will often times come back to bite them. Gen. Cherry said taking the plea leaves too many questions unanswered. He said he feels it is always better to present your case and make your arguments wherever you possibly can.

Vice-chair Jenkins noted the motion on the floor is to deny the request. Commissioner Lewis said he would have to abstain from the vote. After the initial vote, Vice-chair Jenkins called for a roll call vote which was as follows: Baker – aye; Chrisman – aye; Hannon – aye; Jenkins – aye; Lewis – abstained; Long – aye; Wilson – aye; Sen. Bell – no; General Cherry – no.

The motion to deny the waiver carried.

Madison County Sheriff Office – Request a criminal background waiver for Reserve Deputy Timothy J. Perry hired August 22, 2015. Deputy Perry was arrested for misdemeanor D.U.I. on March 30, 1996 in Minnesota and plead no contest. He completed all court ordered requirements and learned from his mistake and has had no further issues. The department requests the waiver to stay in POST compliance.

Mr. Perry was present along with Chief Deputy John Lewoczko requesting the waiver. General Cherry asked Mr. Perry his age at the time of the incident and to explain the circumstances. Mr. Perry answered he was twenty-nine. At that time, he was in an archery league. That particular day was the year-end banquet and he consumed more beers than he should have and drove home. He added it was the biggest mistake of his life. He did not recall what his BAC was at the time but it was over .10. He added he currently drinks socially, mostly at work functions. He explained he is a professional salesman and entertains clients and will have a glass of wine or a cocktail. He remarked that he has never drank and gotten behind the wheel since that time.

Commissioner Lewis noted the charge was in 1996 and there have been no incidents since that time and would move to approve the waiver, seconded by Commissioner Hannon. The motion carried.

Perry County Sheriff Office – Request Donnie Bates Jr. hired January 8, 2016 to receive a waiver for a past DUI arrest in 1994. On June 24, 1994, Mr. Bates was in an accident and charged with DUI as a nineteen-year old. As part of the punishment, he was ordered to take an alcohol intervention class and has not had any problems since.

Sheriff Nick Weems was present along with Mr. Donnie Bates requesting the waiver.

Commissioner Lewis asked Mr. Bates if he has had any problems with alcohol since 1994 when he was nineteen-years old. Mr. Bates answered he has not and acknowledged that on the day he turned nineteen was when the incident occurred.

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

Tellico Plains Police Department – Request a waiver for Gregory Newman, Mr. Newman was charged with D.U.I. and open container. He plead guilty to D.U.I., and the Open Container Law violation was dismissed. He was convicted and has met all state required penalties of this situation. This offense happened on January 16, 2014. His license was revoked from March 7, 2014 until March 7, 2015. He now has a valid driver's license in the State of Tennessee. This is the fourth request from the department.

Chief Russ Parks was present with Mr. Newman. Chief Parks explained they appeared before the commission in April but did not have proper documentation concerning the charges. Since then, the documentation has been presented to Inv. Murphy. Mr. Newman was hired in late 2015, prior to Chief Parks taking over the department.

Commissioner Long asked Mr. Newman about his current drinking habits. Mr. Newman said he drinks a glass of wine occasionally with dinner. Mr. Newman began as an auxiliary police officer in 1989 and went full-time in 1990 with Sweetwater PD for fourteen years and resigned as captain to take a job as parks and recreation director. Mr. Newman explained he was with that department for ten years from 2004 until 2014 and was a part-time officer at that time with the city. Commissioner Jenkins asked Mr. Newman if he was carrying a police badge when he was arrested. Mr. Newman acknowledged he was carrying a badge as he was a part-time or auxiliary officer when he was arrested.

Commissioner Long commented he could not support the waiver since Mr. Newman was a police officer at the time of the arrest and with the arrest being as recent as it is and feels Mr. Newman has not proven himself yet. Commissioner Lewis also remarked that was the hard part for him with Commissioner Baker agreeing.

Commissioner Chrisman moved to deny the request, seconded by Commissioner Wilson.

Gen. Cherry remarked it has been almost two and a half years since the arrest and asked if that is not long enough. Commissioner Long answered he did not feel it was long enough when the man was a police officer and carrying a badge when he got caught.

Gen. Cherry asked Mr. Newman to remind the commission of the circumstances surrounding the arrest. Mr. Newman explained he had gone to class in Knoxville. After getting out of class, some friends asked him to come to Cleveland to Aubrey's. He went and they all sat around talking and he had too much to drink, according to the outcome. Mr. Newman said he does not recall what his BAC was. When they told him he was guilty, he said he plead guilty. There were no passengers in the vehicle.

Vice-chair Jenkins asked Chief Parks how this would affect his department. Chief Parks answered with the years Mr. Newman has as an officer and the training he has, he is currently working on his doctorate in criminal justice, he felt Mr. Newman would be a great asset to the department as far as the wealth of knowledge he has. Chief Parks said he is sure the commission is aware Tellico Plains PD needs all the help and knowledge it can get. He said when it comes to a matter of doing their jobs, the more people they have on their side who has knowledge of the law and the way it is worded and written, the better off they are as a department and as a team. Chief Parks added he feels Mr. Newman would be a great asset to his department as far as his knowledge and level of training he has.

On further discussion, Gen. Cherry commented sometimes he comes across as the pony-tailed liberal in the room, although he does not have a pony tail and is not really liberal, but added he has made his own stupid mistakes in the past and is a big advocate for repentance. He said it has been two and a half years since the incident occurred and it appears Mr. Newman could be a very valuable asset to the department and felt maybe some forgiveness is in order and would be the nature of his vote.

Vice-chair Jenkins noted the motion on the floor is to deny the request. The motion carried with Gen. Cherry voting against the motion.

Chief Parks informed the commission when he first appeared before them, his first request was for an in-service training waiver. He said currently, his 2016 in-service is now complete.

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

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

Halls Police Department – Request a Waiver of Basic for Duston Milton Garrett hired February 19, 2016 so he can attend the September 25th Transition School at TLETA. Officer Garrett graduated Shelby County (704 hour) Basic Law Enforcement Training on February 26, 2002. After graduation, Officer Garrett worked for Shelby County Sheriff Office until November 17, 2007. A six month waiver is also requested.

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

Hamilton County Park Police - Request a Waiver of Basic for Park Ranger Andrew Moses (hired April 13, 2016) so he can attend the September 25th Transition School at TLETA. Ranger Moses was an officer for the City of Chattanooga from 2004 to 2010, completing their Basic Training May 6, 2004, and resigned in good standing. Ranger Moses has been out of law enforcement for over 5 years but less than 10 years.

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

Jackson County Sheriff Office – Request a Waiver of Basic for Deputy Michael Jay Moon (hired February 21, 2016) so he can attend the September 25th Transition School at TLETA. Deputy Moon graduated TLETA Basic May 2007 and was a full time officer with Fentress County Sheriff Office until September 1, 2010. A waiver of the Six Month rule is also requested.

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

Jefferson County Sheriff Office – Request a Waiver of Basic for Deputy James Blake Cupp (hired March 4, 2016) so he can attend the September 25th Transition School at TLETA. Deputy Cupp graduated Walter State Community College Basic Training (463 hours) on September 20, 2013. A waiver of the Six Month rule is also requested.

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

Knox County Sheriff Office – Request a Waiver for Officer Michael William Tallent to receive POST Certification without attending the POST 3-week Transition School. Officer Tallent attended the Knox County Sheriff's Office Regional Training Academy August 5, 2012 - October 11, 2012, and also has attended 40 hours yearly In-Service from 2013 to 2016. Officer Tallent has been working as a full time corrections officer and is now being placed into a full time law enforcement position.

Commissioner Lewis moved to approve, seconded by Commissioner Baker. The motion carried with Vice-Chair Jenkins abstaining.

Knox County Sheriff Office – Request a Waiver of Basic for Officer Corey Lynn McMahan (hired April 18, 2016 as full-time deputy) to be able to attend Knox County three week

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Transition School. Officer McMahan completed Knox County Sheriff's Basic Police School November 18, 2011, working for Knox County as a jailer from 2008-2013 and again from July 2015 - April 2016.

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

Monroe County Sheriff Office – Request a waiver for Larry Bivens to attend the next POST Transition School. Deputy Bivens attended Cleveland State Community College graduating in September 2007. He worked for Monroe County Sheriff Office September 2007 to September 2011 as jailer, then January 2015 to April 2016 as Court Security Officer, and since April 28th a full time officer. The department is also requesting his psychological (December 2014) be accepted because of no break in service.

Mr. Grisham commented if Mr. Bivens came back in 2015 as a court security officer and went to in-service, he would not need to attend the transition school. Director Farris noted the psychological was conducted just prior to Mr. Bivens becoming a court security officer and there has been no break in service. Attorney Wilder added that other than Metro Nashville Police Department, all court officers fall under POST guidelines. Director Farris said there has been no in-service.

Commissioner Lewis moved to approve the request to attend the transition school, seconded by Commissioner Chrisman. The motion carried with Sen. Bell abstaining.

Murfreesboro Police Department – Request a Waiver for Chief James K. Durr hired April 4, 2016 to be able to attend the next POST Transition School. Chief Durr graduated Florida's 320 hour Basic Recruit course in 1984 and also completed Broward Community College's 80 hours Instructor Techniques Course in 1992. He has been in law enforcement for the last 29 years working for Palm Beach County Sheriff Office 1987 - 2012 and Eugene, Oregon Police Department 2012 - 2016. A waiver of the Six Month rule is also requested.

Lt. Steve Teeters was present along with Police Chief James Durr requesting the waiver.

Commissioner Baker moved to approve, seconded by Commissioner Wilson.

Commissioner Chrisman noted he would abstain from the vote but welcomed Chief Durr to Tennessee and wished him success. Commissioner Baker commented Chief Durr has some big shoes to fill.

The motion carried with Commissioner Chrisman abstaining.

Oakland Police Department – Request a Waiver for Officer Kathy Stroud (hired April 15, 2016) so she can attend POST Transition School September 25th. Officer Stroud worked for Memphis Police Department from November 1995 to May 2007. The department also requests a waiver of Six Month rule and also that Officer Stroud can ride solo after her FTO with department.

Commissioner Lewis moved to approve the request to attend transition school and the six month rule but to deny the ride solo request. Commissioner Baker seconded. The motion carried.

Smyrna Police Department – Request Ethan Fullilove hired April 25, 2016 be able to attend the next POST Transition class September 25th 2016. Officer Fullilove graduated Mississippi

Law Enforcement Training Academy June 20, 2013 with 400 hrs. His training did not include enough driving hours so he will need to attend 40 hours of driver training at TLETA's July 10 – September 30 basic school.

Sgt. Tom Bryant was present with Mr. Fullilove who was requesting to attend the transition school in September and to attend 40 hours of driver training.

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

Wilson County Sheriff Office – Request a Waiver of Basic for Deputy Edward William Anderson (hired March 21, 2016) so he can attend the September 25th Transition School at TLETA. Deputy Anderson graduated Walter State Community College Basic Training (463 hours) on December 6, 2013. A waiver of the Six Month rule is also requested.

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

WAIVER TO ATTEND ANOTHER ACADEMY - POST Rule 1110-02-.03(3)

Decatur County Sheriff Office – Request Chief Deputy Larry Hill hired September 1, 2014 to change academics. Chief Deputy Hill attended the May 15 Orientation class for the May 24, 2015 Basic Police School at TLETA. Due to an unforeseen problem he was unable to make the May 24th starting date. The department respectfully requests that he be allowed to attend Cleveland State Community College for Basic School which he attended Cleveland State October 10 – December 11, 2015. He did not receive his certificate; he has to retake driving scheduled for June 2016. Chief Deputy Hill is asking for 3 six-month waivers and a change of academy waiver.

Sheriff Keith Byrd was present along with Chief Deputy Larry Hill requesting the waivers.

Director Farris explained that POST will have to take some responsibility in this matter regarding one of the waivers as a letter from the department was found in a former employee's desk, which got the matter back on the agenda. Another waiver is being requested because Deputy Hill will have to repeat a portion of his training.

Commissioner Lewis moved to approve the waivers, seconded by Commissioner Hannon. The motion carried.

Westmoreland Police Department - Request a Waiver for Michael Tenpenny hired March 17, 2016 to attend the next available class at TLETA. Mr. Tenpenny was employed by Metro Nashville Police Department for a short time in January 2016 and resigned from the Metro Nashville Police Department due to a mix up in communication not allowing him to continue working outside employment, (he is a state certified Paramedic.)

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

SPECIALIZED SUBSTITUTIONS FOR IN-SERVICE TRAINING

The following items, numbers 1 through 11 requests for approval of Specialized Training Substitution, have been reviewed and appear to meet the guidelines set forth in POST Rule 1110-04-9. T.C.A. mandated Child Sexual Abuse, EVOC, Mental Illness, and Firearms qualifications must be completed and documented to complete requirements for In-service training, if not included in the curriculum of these courses.

2015 Training

1. Chattanooga Housing PD - Request approval of Specialized Training Substitution for the following Officers:

Felix M. Vess – International Assoc. of Chiefs of Police – IACP – Chicago, IL – October 23-27, 2015 – 5 Hrs.

2. Pittman Center PD - Request approval of Specialized Training Substitution for the following Officers:

Tina R. Vance – Comprehensive Crime Scene Photography Course – Sirchie Academy – Youngsville, NC – October 12-16, 2015 – 40 Hrs.

2016 Training

3. Chattanooga State Technical Community College PD - Request approval of Specialized Training Substitution for the following Officers:

Curtis L. Greene & Clinton M. Haley – Active Shooter Threat Instructor Training Program – F.L.E.T.C. – Charleston, SC – February 8-12, 2016 – 40 Hrs.

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

Brandon R. Tayes – Homicide Investigation Course – Southern Police Institute – Louisville, KY – January 4-15, 2016 – 80 Hrs.

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

Jerry L. Stephens – Hazardous Devices School – Recertification Class – U.S. Dept. of Justice – FBI – Redstone Arsenal, AL – January 25-29, 2016 – 40 Hrs.

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

Lowell Young – Sniper Marksmanship Course – Practical Energetic Entry Systems – Byhalia, MS – April 12-14, 2016 – 27 Hrs.

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

Jason A. Taylor – Terrorism in Your Backyard – ROCIC – Hilton Head, SC – March 6-9, 2016 – 16 Hrs.

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

Marvin J. Rodish – Digital Photography for L.E. Level I XP – Dept. of Homeland Security – Federal Law Enforcement Training Center – Foley, AL – April 5-7, 2016 – 28 Hrs.

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

Karen D. Davis – ROCIC Conference: Terrorism in your Backyard – ROCIC – Hilton Head, SC – March 6-9, 2016 – 16.5 Hrs.

Kendrick D. Jones, Eli J. Zacharias – Managing the Property & Evidence Room – PATC – St. Louis, MO – March 29 – 30, 2016 – 16 Hrs.

Joshua C. Barksdale, Mark A. Lott, Daniel F. Oster, & Eli J. Zacharias – Peace Officer Engaged Shootings & Mindset Survival – ROCIC – Robinsonville, MS – March 21, 2016 – 8 Hrs.

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

Kristy F. English – Deviant Sexual Behavior & Related Criminal Activity – IPTM – Jacksonville, FL – March 28 – April 1, 2016 – 40 Hrs.

Phillip W. Loyd – DVR Assessment & Video Recovery Training; Clear ID Using Adobe Photoshop – Ocean Systems – Burtonsville, MD – March 28 – April 1, 2016 -40 Hrs.

Tommy L. Massey – Terrorism in Your Backyard – ROCIC – Hilton Head, SC – March 29, 2016 – 16 Hrs.

Christopher C. Phillips – Advanced Undercover Techniques & Survival – International Association of Undercover Officers – Daytona Beach, FL – March 21 – 25, 2016 – 36 Hrs. Michael Yates – Introduction to the Science of Friction Ridge Examination – Ron Smith & Assoc. & Eastern Florida State College – Melbourne, FL – March 21-25, 2016 – 40 Hrs.

11. White House PD - Request approval of Specialized Training Substitution for the following Officers:

Thomas E. Eisenbraun & Melissa C. Taylor – Patrol Officers Response to Street Drugs – RCTA – Meridian, MS – April 4-8, 2016 – 40 Hrs.

Commissioner Lewis moved to approve Items 1-11, seconded by Commissioner Hannon.

Commissioner Baker noted there were two items requesting approval for 2015 and asked if they should be concerned about that. Director Farris answered POST is concerned and bothered by that and added they may see some more of these next month. The director said his recommendation would be December and January be made optional months in order to get the previous year's training approved and the current year's training approved. After January, the department's GDI needs to appear and tell the commission why they are fifteen months behind in getting their training approved.

Mr. Grisham commented regarding No. 2 - Pittman Center PD, their very experienced and very knowledgeable chief retired. The young lady who is there is the only one who knows what to do and apparently the new chief did not file her paperwork timely.

Director Farris acknowledged there will be isolated reasons for why departments do not get in their training requests timely but noted POST has approved 2015 trainings in every meeting. Vice-Chair Jenkins commented letters can be sent to departments letting them know that after February, they will have to appear in order to get their 2016 training approved.

Commissioner Lewis remarked that as a past training officer, he understands the hurdles that exist in order to file paperwork but his department filed every year on time with multi pages. He agreed POST needs to get with the Training Officers Association but added this has been stressed many times in the past to get the paperwork in on a timely basis. Commissioner Lewis added maybe the approvals for these type requests should be classified in another area. He said when he looks at these, it is his assumption the POST investigators have approved these and the commission relies on the staff to approve it. Director Farris responded the training does meet POST standards but the problem occurs when the request is fifteen months late.

Attorney Wilder asked if this is a matter that has been addressed in the rules revision. Director Farris answered he thinks they have tried to address this in saying the departments will have the first month or two in the new year and after that they will need to appear before the commission and get a waiver to have their training approved. Investigator Roberts remarked a number of these are found when POST is completing salary supplements and the training is checked off and they discover there has been no training. Director Farris said a whole department will be processed for salary supplement and then they discover there has been no training. The salary supplement then sits while waiting for the department to get the training in and then approved. He added it is an administrative burden on an understaffed operation.

Mr. Grisham remarked he would not sign off on a salary supplement to be paid after the fiscal year unless it is POST's mistake. The departments have been told in the past they have until May to get everything completed because they will not be paid after the end of the fiscal year.

Commissioner Chrisman asked Director Farris if his recommendation would be anything past January or February would require an appearance and a waiver. Director Farris said his personal recommendation would be to allow December and January to be flex months in which the back year can be approved or even the coming year. He noted there are departments who do their training in January and will send in December the next year's training. Those two months can be used to approve the year forward or back. He suggested the cutoff date be January 31 for the previous year. He explained that most have their in-service but just have not taken the time to send in the paperwork.

Commissioner Chrisman moved to put the director's recommendation in the form of a motion, seconded by Commissioner Hannon.

Gen. Cherry said his only concern is if these officers have completed their training and if it is just a matter of someone in the department not sending in the paperwork, does POST really want to deny the salary supplement because of someone else's mistake. Director Farris responded that is why he is recommending to let the department appear and tell POST why they did not send in the paperwork.

The motion to approve Items 1-11 carried.

Commissioner Chrisman restated the second motion is to allow December and January to be flex months to allow the past year's training and the coming year's training to be approved,

with anything past January 31st for the previous year requiring a department head to appear requesting the waiver.

Gen. Cherry asked if this will just be a policy or will there be a rule to memorialize this. Attorney Wilder said this proposal has been talked about and if it has not been included, it can be made a part of the rule change. Inv. Murphy commented POST's lesson plan option is now on-line and there is no reason for departments not to get them in by the end of the calendar year.

Commission Chrisman added the intent of the motion is to codify the commission's stance for the benefit of staff, whether it comes in the form of a rule or a policy. Director Farris noted it will become a policy and practice and if they want to make it into a rule, they can make that call. The director said a letter will be drafted and sent out to the departments. Commissioner Lewis remarked he would like to see it put in the rules. Mr. Wilder said they have looked at approximately eight chapters of the rules but he will go back and look to see if they have specifically addressed that issue.

The motion carried.

APPLICATIONS FOR TRAINING OFFICER – 1110-04-.03

The following items, Numbers **1** through **8**, Applications for Training Officer, have been reviewed by POST Investigators and appear to meet criteria for approval. The officers will be informed that they must complete an Instructor Development course within the next 12 months if needed.

- 1. Centerville Police Department** - Request Jonathan O'Guin to become Training Officer for the department. He has over 18 years in law enforcement and has completed Communication Public Speaking at UT Martin.
- 2. Henry County Sheriff Office** – Request Carolyn Brewer to become Training Officer for the department. She has over 15 years in law enforcement and has completed the required Instructor Development.
- 3. Henry Police Department** – Request Nicholas Oatsvall to become Training Officer for the department. He has over 6 years in law enforcement and has not completed the required Instructor Development.
- 4. Metro Nashville Police Department** – Request Tiffany R. Gibson to become Training Officer for the department. Officer Gibson has 11 years in law enforcement and has completed the required Instructor Development.
- 5. Pellissippi State Community College Police** – Request Terry Crowe to become Training Officer for the department. He has over 23 years in law enforcement and has not completed the required Instructor Development.
- 6. Savannah Police Department** – Request Jack Snelling to become Training Officer for the department. He has over 24 years in law enforcement and has completed the required Instructor Development.
- 7. Williamson County Sheriff Office** - Request John Brantley Pewitt Jr. to become Training Officer for the department.. Deputy Pewitt has been with the department since 2007 and has completed the required Instructor Development course.

8. **Wilson County Sheriff Office** – Request James Hale to become Training Officer for the department. He has over 30 years in law enforcement and has completed the required Instructor Development.

Mr. Grisham noted Items 3 and 8 need to complete Instructor Development.

Commissioner Lewis moved to approve, seconded by Commissioner Baker. The motion carried with Commissioner Long abstaining on #7.

APPLICATIONS FOR CERTIFIED INSTRUCTOR – 1110-03-.04

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

1. **21st Judicial District Drug Task Force** – Request Joseph Ashmore to become General Department Instructor. Agent Ashmore has been with the department since 2001 and has completed the required Instructor Development course.
2. **Alamo Police Department** – Request Phillip Park, Steve Hooks & Robert McGullion to become Certified Firearms Instructors. Sergeant Park has been in law enforcement since 2002, Assistant Chief Hooks since 2004 & Officer McGullion since 2009, and all three have completed the required Instructor Development course.
3. **Brownsville Police Department** – Request David Culver to become Certified Instructor in Firearms. Officer Culver has been with the department since 2007 and has completed the required Instructor Development course.
4. **Chapel Hill Police Department** - Request Andrew E. Kon to become General Department Instructor. Officer Kon has been in law enforcement for 6 years and has completed the required Instructor Development course.
5. **Claiborne County Sheriff Office** – Request Jason Pabon Santiago to become Certified Instructor in Firearms. Deputy Pabon Santiago has been with the department since 2013 and completed Communication/Speech and Intro to Teaching and Learning at Lincoln Memorial University.
6. **Metro Nashville Police Department** – Request Sergeant David Haywood Jr. to become certified in Weapons of Mass Destruction and Hazardous Device Unit. Sergeant Haywood has been with the department since 2000 and completed speech communication at Western Kentucky University.
7. **Morristown Police Department** – Request Michael King to become General Department Instructor. Officer King has been with the department since 1995 and has completed the required Instructor Development course.
8. **Mount Pleasant Police Department** – Request Terry Chandler to become General Department Instructor. Officer Chandler has been in law enforcement for over 20 years and has completed the required Instructor Development course.

9. **Norfolk Southern Railroad Police** – Request Michael Frogg to become Certified Instructor in Firearms. Agent Frogg has been with the department since 2011 and has completed the required Instructor Development course.
 10. **Shelby County Sheriff Office** – Request Larry Lindsey & John Shields to become General Department Instructors. Captain Lindsey has been with the department since 1991 and Deputy Shield since 1996 and both have completed the required Instructor Development course.
 11. **Sunbright Police Department** – Request Chief James A. Dagley to become General Department Instructor. Chief Dagley has 10 years in law enforcement and has not completed Instructor Development.
 12. **TBI** – Request Charles Rountree III to become certified instructor in LEOSA firearms training. Agent Rountree has been with the department since 1996 and completed speech communication at Liberty University.
- U.T. Law Enforcement Innovation Center** – Request Jeffrey Lindsey to become Certified Instructor in the following fields Defensive Tactics, Firearms, Police Management, & Law Enforcement Tactics. Agent Lindsey has been in law enforcement since 1989 and completed the required Instructor Development course.

13. **White County Sheriff Department** – Request Craig Capps to become Certified Instructor in Basic SWAT. Lieutenant Capps has not completed a Basic SWAT course but has extensive U. S. Army training (473 hours) in tactical rifle, K9, active shooter, & clan lab entry and feels this training should suffice for a Basic SWAT course. He has completed the required Instructor Development course.

14. **Williamson County Sheriff Office** - Request John Brantley Pewitt Jr. to become Certified Instructor in Defensive Driving. Deputy Pewitt has been with the department since 2007 and has completed the required Instructor Development course.

Director Farris noted #13 should be separate as it does not meet the minimum standards currently and needs to be voted on separately. Lt. Capps is present to explain his request.

Vice-Chair Jenkins entertained a motion on Items 1-12 and Item 14.

Commissioner Lewis moved to approve Items 1-12 and Item 14, seconded by Commissioner Chrisman. The motion carried.

13. **White County Sheriff Department** – Request Craig Capps to become Certified Instructor in Basic SWAT. Lieutenant Capps has not completed a Basic SWAT course but has extensive U. S. Army training (473 hours) in tactical rifle, K9, active shooter, & clan lab entry and feels this training should suffice for a Basic SWAT course. He has completed the required Instructor Development course.

Lt. Craig Capps was present. Commissioner Long asked the lieutenant if the training he has had is considered to be certified training. Lt. Capps answered the training he has completed was law enforcement certified training and named some of those which included Tactical Rifle Instructor, Tactical Response to Active Shooter, Tactical Management, which was a K-9 Swat

School where he trained with 7th Group, 2nd Group and 5th Group Army Special Forces in Sweetwater, TN at their K-9 seminar doing tactical maneuvers and clearing buildings with dogs and stack teams. He attended 360 hours of basic combat training at Fort Jackson, South Carolina. Lt. Capps said he joined the Army after 9/11. The Army contracted with Dallas PD Swat to teach building clearance and things of that nature. He said they would stack up in teams and enter buildings and clear buildings.

Lt. Capps added he went to the Livingston PD Swat School last year and assisted them. He said he has firsthand knowledge on how to do all of this. Lt. Capps noted the POST rules says: Applicant must have successfully completed a minimum of 40 hours of POST certified training in specialized area having been approved by the POST Commission. Lt. Capps said he has completed at least 40 hours in that specialized area, but he has not gone through a basic 40 hour SWAT school.

Commissioner Long commented Lt. Capps is obviously well-trained, however the rules do say 40 hours of POST approved training is required. He asked the lieutenant what the 40 hours of POST approved training is he has had. Lt. Capps answered this would include the Tactical Clandestine Lab, K-9 Tactical Management and Patrol Rifle Instructor and Response to Active Shooter. Vice-Chair Jenkins commented he did not know if the military could get Lt. Capps ready for a SWAT team because the teams are different. Lt. Capps answered he understands. He said he is conducting a SWAT school June 13-17 which POST has approved as a 50 hour SWAT school which he is hosting. Melvin Brown from Metro Nashville PD will be the master instructor. Lt. Capps said he would be assisting with that and if the commission would rather not approve him this month, he completely understands and would request to withdraw his application and resubmit it in June so he may submit the 40 hour certificate for that class.

Commissioner Baker asked Lt. Capps if he has taught the school with Mr. Brown previously. Lt. Capps answered he has not. He and Mr. Brown are close friends. Lt. Capps said the lesson plan was written and drawn up by him and sent to Mr. Brown for his approval. Mr. Brown gave his approval and the lesson plan was sent to POST for approval. Lt. Capps said he does have Instructor Development, Advanced Instructor and Master Instructor, which he completed the prior day. Commissioner Chrisman asked if the class Mr. Brown will be teaching is a basic SWAT class. Lt. Capps answered it is a 50 hour basic SWAT school. Gen. Cherry asked Lt. Capps if he has had the training that is included in the lesson plan. Lt. Capps answered he has had all the training. The only thing he will not be teaching is the Less Lethal because he is not a Less Lethal Instructor. Richard Lynch will be teaching that portion.

Gen. Cherry asked Director Farris is there is any way POST can compare the training Lt. Capps has had against the training that is required for the SWAT course. Director Farris answered they can do that if the military training is provided, however, the rule says the training must be POST approved.

Commissioner Hannon commented Lt. Capps will be attending the SWAT school in June that is POST certified and that will qualify him. Director Farris told the commission had the lesson plan for the upcoming SWAT School come in under Lt. Capps' name, it would not have been approved because he is not a certified SWAT instructor. However, Mr. Brown is certified by POST to be a SWAT instructor and that is why the course was approved.

Commissioner Chrisman noted Lt. Capps is very well-qualified and thanked him for his service, past, present and future. The commissioner said based on what the POST rules are and in looking out for the lieutenant's best interests, the request should be denied. However, after Lt. Capps goes through the 40 hours and finishes that credentialing, that will leave the future

open for him to move on from there and would make that in the form of a motion, seconded by Commissioner Hannon.

Commissioner Lewis asked the lieutenant if he wanted to withdraw the application. Lt. Capps answered if the commission is going to deny the request, he would prefer to withdraw his application.

Commissioner Chrisman withdrew the motion in order for Lt. Capps to withdraw his application.

Commissioner Baker commented in the long term, this would reduce Lt. Capps' liability also. Lt. Capps responded he understands and is willing to withdraw and will send in his request next month. Inv. Murphy told the lieutenant to just send in his certificate after completing the SWAT School. Mr. Grisham told the lieutenant he would not need to reappear.

CURRICULUM AND TESTS – 1110-04 & SPECIALIZED TRAINING CURRICULUM – 1110-04-.09

*POST Investigators have reviewed and approved **116** in-service and specialized training classes this month as they appear to be in order and meet or exceed minimum standards set forth by the Peace Officers Standards and Training requirements. They have made note if these training offerings meet the POST requirements for Firearms, EVOC, Mental Illness and CSA.*

Commissioner Chrisman moved to approve and commended the staff for their hard work, seconded by Sen. Bell, which motion carried.

There was no old business for discussion.

NEW BUSINESS/ITEMS FOR DISCUSSION

The 2016 audit/inspection of The **Metro/Nashville Police Department Training Academy** was conducted on April 18, 2016.

Findings: None

Recommendations: None

Pursuant to Rule 1110-07-.06 (2)(c) it is recommended the POST Commission issue a letter advising the Metro/Nashville Police Department Training Academy of the status of its **Compliance**.

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

The 2016 audit/inspection of The **Tennessee Highway Patrol Training Academy** was conducted on April 19, 2016.

Findings: 1. Several academy instructors' files was missing the required General Instructor Certification for Basic Police training.

Recommendations: 1. They have applied to have these certifications issued.

Pursuant to Rule 1110-07-.06 (2)(c) it is recommended the POST Commission issue a letter advising the Tennessee Highway Patrol Training Academy of the status of its **Compliance**.

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

The 2016 audit/inspection of The **Shelby County Sheriff's Office Training Academy** was conducted on February 03, 2016.

Findings: None
Recommendations: None

Pursuant to Rule 1110-07-.06 (2)(c) it is recommended the POST Commission issue a letter advising the Shelby County Sheriff's Office Training Academy of the status of its **Compliance**.

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

The 2016 audit/inspection of The **Memphis Police Department Training Academy** was conducted on April 22, 2016.

Findings: None
Recommendations: None

Pursuant to Rule 1110-07-.06 (2)(c) it is recommended the POST Commission issue a letter advising the Memphis Police Department Training Academy of the status of its **Compliance**.

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

Knoxville Police Department – Request POST Commission to suspend the certification of former Officer Joshua M. Hurst. Mr. Hurst was arrested by TBI investigators on April 20, 2016 for multiple drug offenses and official misconduct and resigned that day. The suspension request is based on these indictments and possible convictions.

Commissioner Chrisman asked if this would be placing Mr. Hurst in suspended status pending the outcomes and so forth. Mr. Wilder answered he has not received a request for decertification. Mr. Grisham said this was prompted by a newspaper article. If Mr. Hurst resigned in lieu of termination or resigned because of criminal charges, the matter can be referred to the subcommittee.

Commissioner Long moved to refer the matter to the Informal Hearing Committee, seconded by Gen. Cherry. The motion carried.

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

Perry County Sheriff Office – Request Mathew Votaw (hired December 8, 2015) to receive three 6 Month Waivers so he can attend the October 2 – December 22 TLETA Basic Course. Deputy Votaw is needed during the summer to help with the increase of calls and current lack of man power.

Sheriff Nick Weems was present along with Mr. Votaw requesting the waivers. Sheriff Weems told the commission currently Mr. Votaw is doing patrol with other officers. The sheriff said his department is small with a big area to cover and also have two major tourist attractions in the county which causes the population to almost double during the summer. The sheriff was requesting to wait until the summer season is completed before he sends Mr. Votaw to Basic in October. Sheriff Weems said doubling up officers in the summertime with a lot of activity going on and alcohol intake is higher, it is better to have two officers in a vehicle out on patrol. General Cherry asked if Mr. Votaw is riding along with a certified officer helping him out. The sheriff answered affirmatively and added Mr. Votaw is under the supervision of another officer. Commissioner Baker asked if Mr. Votaw is riding alone in a car. The sheriff answered on occasions he has ridden alone but under the supervision of a certified officer. Vice-chair Jenkins reminded the sheriff that under the POST rules, Mr. Votaw cannot ride by himself. Gen. Cherry asked if Mr. Votaw has had any training at all. The sheriff answered Mr. Votaw has had Marines training and has completed some in-service training.

Director Farris told the sheriff POST did not get notice of Mr. Votaw needing a waiver until May 3rd and he was hired in December. There was a January class and a March class Mr. Votaw could have attended. Sheriff Weems apologized and said he has had four officers who left and has hired some new hires he has sent through the academy and currently has two officers in the academy. Director Farris explained there is a process the hires have to go through and are not supposed to ride period until POST gets the paperwork and makes sure they have a clean background. He added he understands the problem the sheriff is having but this is a liability on the sheriff and his department for Mr. Votaw to be working these months and POST has never heard of him until May and this should be a concern to the sheriff and his department.

Commissioner Lewis noted that Sheriff Weems took over the sheriff's department in December. Commissioner Long added he knows Sheriff Weems well and added the former sheriff passed away. Sheriff Weems was the chief deputy and ran the department during a year-long sickness with the former sheriff. Sheriff Weems was appointed by the commission and ran for reelection and inherited a lot of problems. Commissioner Long stated he is well aware of the problems in Perry County and the sheriff is trying to get those problems straightened out and commended the sheriff on what he has done so far. Sheriff Weems told the commission he has ten full-time officers and three part-time. He has had two on each shift and has recently increased that to three. Those are all certified officers excluding the ones who are currently at TLETA.

Commissioner Lewis commented he also can vouch for what Sheriff Weems said about the population doubling. Commissioner Wilson remarked that his county adjoins Sheriff Weems' county and they work together patrolling the Buffalo River when in the summer there will be two to three hundred canoes a day put into the river.

Commissioner Long told Sheriff Weems he is just concerned somewhat about him and the liability the sheriff is facing with Mr. Votaw not being certified and waiting that

long to get him certified. Sheriff Weems responded he understands and he and his department have overcome a lot. If the commission chooses to not grant the waiver, he will get Mr. Votaw into the next class and will make do. Commissioner Baker asked if there is room in the July class. Mr. Grisham answered there were 37 slots open when he last checked. Commissioner Hannon added he did not believe the commission would be doing Sheriff Weems any favors by extending the time before Mr. Votaw attends basic and would be leaving him wide open for some problems down the road should something happen during the peak season. Commissioner Lewis added that the two officers currently in basic will be getting out soon, so that also will help.

Investigator Murphy also commended the sheriff on the job he has done with the problems he inherited. He said the sheriff has worked hard to become compliant with POST, however, the officer should not be riding alone in a patrol car and should be supervised by the FTO or a senior certified officer.

Sheriff Weems said he would have no hard feelings whichever way the commission votes and understands they are looking out for his best interests and perhaps he needed a push to look out for his own best interests.

Commissioner Baker moved to deny the waiver and that Mr. Votaw attend the July basic, seconded by Commissioner Chrisman. The motion passed.

The following departments are requesting a waiver of the six month rule to keep their officer(s) and the departments in compliance.

	REQUESTING DEPARTMENT	OFFICER NAME	DATE OF HIRE	CLASS START GRADUATION	
1.	Austin Peay State University	Michael Lee Williams Jr.	02/16/2016	07/10/2016 09/28/2016	B
2.	Coffee County Sheriff Office	Antonio Frost	03/22/2016	07/10/2016 09/28/2016	B
3	Coffee County Sheriff Office	Michael Sharp	02/10/2016	07/10/2016 09/28/2016	B
4.	Columbia Police Department	Caleb Rubert	02/01/2016	07/10/2016 09/28/2016	B
5.	Gallatin Police Department	Derrick Walker	03/21/2016	07/10/2016 09/28/2016	B
6.	Hamilton County Sheriff Office	Kevin Owens	01/05/2016	07/10/2016 09/28/2016	B

7.	Hardeman County Sheriff	Ryan Herndon	02/16/2016	07/10/2016 09/28/2016	B
8.	Lauderdale Offi County Sheriff	Apollo Muex	10/15/2015	07/10/2016 09/28/2016	B
9.	Lewisburg Police Offi Department	Jenny Crane	03/07/2016	07/10/2016 09/28/2016	B
10.	Macon County Sheriff Office	Byron Butcher	03/01/2016	07/10/2016 09/28/2016	B
11.	Martin Police Department	Rachel Green	03/23/2016	07/10/2016 09/28/2016	B
12.	Putnam County Sheriff Office	Joseph Winston Harsh	02/17/2016	07/10/2016 09/28/2016	B
13.	Robertson County Sheriff	Dakota G. Norris	01/02/2016	07/10/2016 09/28/2016	B
14.	Smyrna Police Offi Department	Brandon Kilfoyle	04/25/2016	10/02/2016 12/22/2016	B
15.	Sumner County Sheriff Office	Jennifer Michelle Scott	10/05/2015	01/10/2016 04/28/2016	B

16.	Sumner County Sheriff Office	Michael Rice	02/24/2016	07/10/2016 09/28/2016	B
17.	Tellico Plains Police Department	Dalton Eric Rinehart	08/17/2015	01/10/2016 04/28/2016	B
18.	Weakley County Sheriff Office	Brian M. Legons	03/01/2016	07/10/2016 09/28/2016	B

Commissioner Chrisman moved for approval, seconded by Commissioner Lewis, which motion carried.

WAIVER OF IN-SERVICE – RULE 1110-09-.05

Requests for a waiver have been received for the following officers so that they will remain in compliance with POST guidelines as well as the department.

Chattanooga Police Department - Request an in-service waiver for the following officers that were in a 16-week Field Training Program during in-service for 2015. These Officers graduated the Basic Police Academy 2014-1 on December 11, 2014 and are not eligible for Salary Supplement.

Michael Amphthor	Trevor Creighton	Michael Rhudy	Justin Berry
David Schuerger	Rodney T. Brown	Joshua Creekmur	Matthew Frantom
Dennis Harrison	John Isler	Nicholas Janow	Brandon Kerley
Joseph Ketron	Jacob Lee	Desmond Logan	Ryan Lynn
Charles Martin	Richard McDowell	JaMaael Noble	Marvin Perez
Joseph Sanchez	Nicholas Wright		

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

Claiborne County Sheriff Office – Request an in-service waiver for Sheriff David Ray, he failed to attend EVOC training during 2015. The department’s request is so they stay in compliance with POST Rules and understand that Sheriff Ray will not be eligible for Salary Supplement for 2015.

Commissioner Lewis moved to approve the waiver to keep the department and the sheriff in compliance, seconded by Commissioner Baker. The motion carried with Commissioner Hannon abstaining.

Vice-chair Jenkins noted Sheriff Ray did not complete EVOC training which is mandatory in the POST rules and by statute. Mr. Grisham added it is a separate issue entirely liability-wise for not completing EVOC. Every emergency vehicle operator has to have two hours of training a year. Commissioner Long noted EVOC was offered at the annual conference which Sheriff Ray attended. Commissioner Chrisman commented basically, the sheriff will not get salary supplement and if he goes a second year without being in full compliance, he will have other issues. Mr. Grisham remarked should Sheriff Ray be involved in a crash, he will have other issues. As a courtesy, POST adopted the Vanessa K. Free Act to give credit for the mandatory two hours in their in-service.

Jasper Police Department – Request an in-service waiver for Officer Donald D. Dykes. Officer Dykes was hired late in the year (September 14th) and was unable to get in-service training. This is a request of waiver to keep this department in compliance with POST rules and Officer Dykes will not be eligible for Salary Supplement.

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

Oak Ridge Police Department – Request an in-service waiver for Officer Jason Robbins. Officer Robbins completed 34 hours of in-service including all mandatories while employed at Athens Police Department before joining Oak Ridge Police Department August 12, 2015. This is a request of waiver to keep this department in compliance with POST rules, and for Officer Robbins to receive 2015 Salary Supplement pay.

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

Oak Ridge Police Department – Request an in-service waiver for Officer Christopher Luethge. Officer Luethge completed 38 hours including all mandatories except EVOC. This is a request of waiver to keep this department in compliance with POST rules and Officer Luethge will not receive Salary Supplement.

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

WAIVERS FOR MILITARY LEAVE – RULE 1110-09-.06(5)

The following departments are requesting a waiver for military service for the 2015 calendar. Military orders are included along with change of status. These officers will be eligible to receive salary supplement.

Chattanooga Police Department- Requests a waiver for the following officers that were on military leave during In-service for 2015.

Mario Cunningham Charles Decker Donnie Garner

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

WAIVER OF EIGHT (8) MONTH RULE:

The following officer(s) are requesting a waiver of the eight-month rule. They completed IST and will be eligible for salary supplement.

Chattanooga Police Department - Request an eight-month waiver for the following officers who retired in 2015 and completed their in-service training:

David Allen Daniel Anderson Robert L. Evans Michael R. Hart
Stanley C. Maffett Daniel Ramsey

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

Dunlap Police Department - Request Marion Keith Land who retired from the department on June 7, 2015 and is requesting a waiver of the Eight Month rule.

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

WAIVER FOR MEDICAL – RULE 1110-09-.06

The following departments are requesting a waiver for medical reasons for the 2015 calendar. Officers did not complete in-service training and are not eligible for Salary Supplement:

Jasper Police Department – Request a Medical Waiver for Chief Timothy E. Graham. Chief Graham had multiple hospital stays that resulted in partial amputation of his right leg and his retirement. This is a request to keep this department in compliance with POST rules.

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

Lenoir Police Department - Request a Medical Waiver for Detective Linda K. Arnwine. Detective Arnwine did not complete In-Service in 2015 due to medical leave nor is she expected back this year. This is a request to keep this department in compliance with POST rules.

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Commissioner Chrisman moved to approve, seconded by Commissioner Hannon. The motion carried.

WAIVER OF CHAPTER 7-.03(1)(B)

Metro Nashville Police Department Training Academy - Request a waiver of number of maximum students from 75 to 110. This waiver is for their Basic Training Session 80 scheduled to begin July 5, 2016.

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

WAIVER OF CHAPTER 1110-04-.09 (6)

Town of Burns Police Department - Request Chief William H. Burgess a waiver of the Six Month requirement to attend Law Enforcement Management & Administration Class until the October 10-13, 2016 class at TLETA. Chief Burgess has been unable to attend earlier dates because of location.

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

There were no administrative waivers.

Mr. Grisham commended Patsy Norman, Court Reporter, for her service to the POST Commission for the past thirteen years.

The next regular POST meeting will be on Friday, June 17th, 2016 at 9:30 a.m. The Informal Hearing Committee will not meet in June.

Gen. Cherry asked about the matter concerning Dayton PD which had been moved to the end of the agenda.

Commissioner Lewis moved to defer action and request Dayton PD, Mark Eldridge, to appear at the June meeting, seconded by Commissioner Lewis. The motion carried.

Commissioner Hannon moved to adjourn, seconded by Commissioner Wilson. The motion carried.

The meeting adjourned.

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RESPECTFULLY SUBMITTED

Patsy Norman
Licensed Court Reporter #410
State of Tennessee

APPROVED: _____



KIM WALLACE
Chairman

DATE: _____

6/17/2016