

**Missouri Department of Public Safety
Peace Officer Standards and Training (P.O.S.T) Commission
November 14, 2017
Lewis & Clark State Office Building
Nightingale Creek Conference Room
Jefferson City, Missouri**

Commissioners Present:

Chief Paul Williams, Springfield Police Department, (Chairperson)
Sergeant Edward Clark, St. Louis Police Department
Sergeant Jeffrey Hughley, Kansas City Police Department
Dr. Emmanuel Cleaver, III, Public Member
Chief Diane Scanga, Jefferson College Law Enforcement Academy

Commissioners Not Present:

Sheriff Dwight Diehl (ret.), Cass County Sheriff's Office
Sheriff Glenn Boyer (ret.), Jefferson County Sheriff's Office
Sheriff Stephen Cox, Livingston County Sheriff's Office

DPS/POST Staff Present:

Nathan Weinert, DPS Legal Counsel
Mike O'Connell, DPS Communications Director
Jeremy Spratt, POST Program Manager
Gayla Kempker, POST Program Representative
Cheryl Nott, POST Program Representative
Nena Snodgrass, POST Program Investigator
Bill Plate, POST Program Investigator
Jake Garrison, POST Program Specialist
Dane Huffman, POST Program Representative
Carol Willhite, DPS Representative
Theresa Huhn, DPS – OHS Representative

Visitors:

Sheldon Lineback, Missouri Police Chiefs' Association
Tony Bowers, Drury Law Enforcement Academy
Steve Pratt, Drury Law Enforcement Academy
Kip Wilson, Missouri Western State University Law Enforcement Academy
Lt. Steve Hampton, St. Louis County & Municipal Police Academy
Sgt. Brad Bland, St. Louis County & Municipal Police Academy
Rich Flotron, Mineral Area Community College Law Enforcement Academy

Call to Order/Pledge of Allegiance

Commissioner Paul Williams called the meeting to order and led the group in the Pledge of Allegiance and the Oath of Honor.

Approval of Minutes from April 18, 2017 Meeting

A motion was made by Commissioner Clark, seconded by Commissioner Scanga, to accept the minutes from the April 18, 2017 meeting as written. Motion carried unanimously.

Public Comments Discussion

Commissioner Williams spoke in reference to the April discussion on a policy that needs to be set for the public to comment at POST Commission meetings. Nathan Weinert suggested that the Commission place a statement on the agenda, limiting the public time spent on speaking at a meeting. A motion was made by Commissioner Scanga, seconded by Commissioner Clever, to state on the agenda a three minute time limit for public comments, unless the party has contacted the POST Program a week in advance requesting additional time to speak at the meeting. Motion carried unanimously.

Public Comments

Commissioner Scanga spoke as a liaison for the basic training directors and asked that the POST Commission reconsider the language of the continuing education training required. She said the training center directors she has spoken with are in agreement that the twenty-four hours of annual training is valuable. The stumbling block everyone is facing is that we are mandating core areas and topic areas that in practice and application have become a tracking nightmare. The officers are attending courses for the hours, not for the training. We have forced agencies to use their training funds for mandated topics not for the training the officers need. What we are proposing is that the topic areas be included within the definition of the core curricula areas and only mandate training hours in Legal Studies, Interpersonal Perspectives, Skill Development, Technical Studies, and the statutory hours of Racial Profiling training.

Mr. Sheldon Lineback, the Executive Director of the Missouri Police Chiefs' Association, was the next to speak. He spoke in reference to the problems that have arisen with the mandated topic areas. He stated that it is difficult to determine the core curricula areas of the mandated topics and how to award the hours when multiple topics can be covered in the whole course, because there is no consistency within the topics. He stated we are not training a person with behavioral training or skill enhancement training, but just training for them to get the hours. Also, Mr. Lineback stated that the certificate of training completion is misleading, as the total number of core areas and the topic areas may not total the same. He suggested the same proposal as Commissioner Scanga, to remove the topic areas as mandatory, but include them in the definition of the core curricula areas of Technical Studies, Legal Studies, Interpersonal Perspectives, and Skill Development.

Commissioner Williams asked the attending training center directors their opinion of this topic and all were in agreement to incorporate the topic areas within the core curricula areas and no longer mandate those additional training topics.

After much discussion, a motion was made by Commissioner Scanga, seconded by Commissioner Hughley, to mandate twenty-four hours of annual continuing education training in the four core curricula areas of Legal Studies, Interpersonal Perspectives, Technical Studies and Skill Development - Firearms, and to incorporate the current training topic areas within the core area definitions.

There was then discussion on the eight hours that an officer can carry over from one year to the next, starting in the 2018 reporting period. It was discussed that this did not make much sense as the POST Commission previously chose to mandate twenty-four hours of training annually, but if they are allowed to carry over hours, it no longer becomes twenty-four hours annually and can be as little as sixteen hours per year. The actual tracking of these carryover hours is confusing and difficult to manage because the computer program will have to decide which hours can carry over, which may not be what the officer needs or wants to carry over into the next year.

An amendment to Commissioner Scanga's motion was made by Commissioner Clark to include that there no longer be any carry over hours from one reporting period to the next.

Motion carried unanimously with the amendment as follows: Mandate twenty-four hours of annual continuing education training in Legal Studies, Interpersonal Perspectives, Technical Studies, and Skill Development – Firearms, including the statutorily mandated racial profiling training requirement; to incorporate the definition of the current training topic areas within the core curricula definitions found in the Code of State Regulations; and not allow any continuing education training hours to carry over from one reporting period to the next, effective with the reporting period ending December 31, 2018.

MoDEx Fund

Ms. Huhn, MoDEx Program Manager, spoke on the MoDEx Program and funds. For year 2017 deposits were \$691,229.92. The allocated amount for the fund is \$763,000. For year 2018 expenditures and future expenditures was given. For year 2018 vendor support and maintenance was expended in the amount of \$ 352,559.97.

An email vote previously conducted for additional 2018 funds was verbally confirmed. A verbal motion was made today by Commissioner Scanga, seconded by Commissioner Hughley to approve the \$175, 585. Motion carried unanimously.

Ms. Huhn stated the monthly fund amount is declining. The average thus far for year 2018 is \$57,734.

A motion was made by Commissioner Scanga, seconded by Commissioner Clark to approve and to move forward with Ms. Huhn being a vendor at the Police Chiefs Conference in December for \$500.00 and the Securus Technology invoice for \$21,420. Motion carried unanimously.

Once the IJIS and CODY CONNECT conference registrations and planned expenditures are available, along with the Omnigo invoice for the completion of five additional agencies, Ms. Huhn will send out in an email for approval.

Ms. Huhn reviewed the new agreement process. There are still minor changes being made and is anticipated the agreement will be finalized at the next MoDEX Governing Board meeting in January 2018. An important modification is the addition of Criminal Justice ORI's.

C.tac Mobility was discussed and is a work in process with Security and policy issues. Marketing new users is always challenging due to the lack of knowledge about the program. Ms. Huhn is always looking for opportunities to educate and promote the system. A review of the total records in the system was also given.

Disciplinary Report

Mr. Spratt provided the commission with a report detailing the disciplinary actions taken since the previous meeting and the current investigative caseload:

November 2017 Disciplinary Report

The following actions were taken by the POST Program from April 11, 2017 through November 7, 2017.

Peace Officers:

Cases initiated: 140

Licenses revoked: 8

Licenses probated for violations: 19

Licenses probated for CLEE: 48

Licenses suspended for violations: 9

Licenses suspended for CLEE: 19

Voluntary surrender (permanent): 28

No action after investigation: 46

Officers under immediate suspension (pending hearing): 5

Backlogged Cases: 0

Basic Training/License Applicants:

Applicant questionnaires reviewed and approved for entry: 157

Applicants pending: 25

Applicants denied entry: 6

Allowed entry after investigation/hearing: 18

Denied application for license: 2

Current Caseload:

Active cases at POST: 169

Active cases at the AG's office: 149

Total caseload: 318

Updated Basic Training Learning Objectives

Jeremy Spratt informed the commission that the following basic training learning objectives were approved or in the process of being updated or reviewed.

- (300) Missouri Statutory Law (Update effective 5/1/2018)
- (1115) Sexual Investigation (Update effective 5/1/2018)

Training Center Audits

Mr. Spratt stated that the following audits were conducted by POST staff since the April POST Commission Meeting:

- Eastern Missouri Police Academy (Renewed)
- Jefferson College Law Enforcement Academy (Renewed)
- Southeast Missouri State University Law Enforcement Training Academy (Renewed)
- St. Louis County and Municipal Police Academy (Renewed)
- MCC Blue River – Public Safety Institute (Renewed)
- St. Louis Police Academy (Audit Pending)
- Missouri Western State University Regional Law Enforcement Academy (Audit Pending)
- Missouri Division of Fire Safety (Audit Report Pending)
- Missouri State University (Renewed)

St. Louis Police Academy and Missouri Western State University Regional Law Enforcement Academy have asked for an extension of their license until an audit can be performed in the beginning of year 2018.

POST Commission Fund

Jeremy Spratt provided the commission members with a spreadsheet of the POST Commission Funds distributed to local law enforcement agencies and a spreadsheet listing those law enforcement agencies that were denied funding for non-compliance with the Racial Profiling report, Uniform Crime Reports, and/or the Federal Forfeiture Fund report.

April 2018 Meeting Date

The next meeting is set for April 10, 2018 at 10 a.m. at the Lewis & Clark State Office Building in the LaCharrette/Nightingale Creek Conference Room.

Open Discussion

Commissioner Clever asked if the topic of sexual harassment was mandated by POST. He was informed by the other commission members that that most agencies have this training mandated internally or by their insurance companies.

Adjournment

Since there were no further items to be discussed and no additional public comments, a motion was made by Commissioner Scanga, seconded by Commissioner Clever to adjourn the meeting. The meeting was adjourned at 11:25 pm.