



# CITY OF NEW ORLEANS

DEPARTMENT OF CITY CIVIL SERVICE  
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CITY CIVIL SERVICE COMMISSION  
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DIRECTOR OF PERSONNEL

Friday, March 6, 2026

Mr. Eric Hessler  
PANO 320 N. Carrollton Avenue #202  
New Orleans, LA 70119

Re: **Kimberly Hunt VS.  
Department of Police  
Docket Number: 9764**

Dear Mr. Hessler:

Attached is the decision of the City Civil Service Commission in the above-referenced appeal.

This is to notify you that, in accordance with the rules of the Court of Appeal, Fourth Circuit, State of Louisiana, the decision for the above captioned matter is this date - 3/6/2026 - filed in the Office of the Civil Service Commission at 1340 Poydras St. Suite 900, Amoco Building, New Orleans, Louisiana.

If you choose to appeal this decision, such appeal shall be taken in accordance with Article 2121 et. seq. of the Louisiana Code of Civil Procedure.

For the Commission,

A handwritten signature in purple ink that reads "Stacie Joseph".

Stacie Joseph  
Management Services Division

cc: Anne E. Kirkpatrick  
Max V. Camp  
Jay Ginsberg  
Kimberly Hunt  
file

**CIVIL SERVICE COMMISSION  
CITY OF NEW ORLEANS**

**KIMBERLY HUNT,  
Appellant**

**Docket No. 9764**

v.

**DEPARTMENT OF POLICE,  
Appointing Authority**

**DECISION**

Appellant, Sergeant Kimberly Hunt, brings this appeal pursuant to Article X, § 8(A) of the Louisiana Constitution and this Commission's Rule II, § 4.1 seeking relief from a 31-day suspension and a letter of reprimand imposed on August 6, 2025, by the Department of Police (NOPD). (Ex. HE-1). At all relevant times, Appellant had permanent status as a Police Sergeant. (Tr. at 7). A Hearing Examiner, appointed by the Commission, presided over a hearing on October 22, 2025. At this hearing, both parties had an opportunity to call witnesses and present evidence.

The undersigned Commissioners have reviewed and analyzed the entire record in this matter, including the transcript from the hearing, all exhibits submitted at the hearing, the Hearing Examiner's report dated December 22, 2025, and controlling Louisiana law.

For the reasons set forth below, Sgt. Hunt's appeal is GRANTED IN PART and DENIED IN PART.

**I. FACTUAL BACKGROUND**

Sgt. Hunt was assigned to criminal investigations in the NOPD Public Integrity Bureau in 2024. (Tr. at 8). As part of her job duties, Sgt. Hunt investigated a payroll fraud complaint initiated by Skip Gallagher, Ph.D., against two specific officers. (Tr. at 8-9, 18). Sgt. Hunt interviewed Dr. Gallagher about his complaint on a recorded telephone line. (Tr. at 18). Sgt. Hunt asked Dr.

Gallagher the source of his information, and he informed her that other officers report their co-workers to him, and he also focuses on officers with high pay and high detail times. (Tr. at 21; Ex. NOPD-2). Sgt. Hunt asked Dr. Gallagher to identify the officers who provided information to him, and Dr. Gallagher refused to divulge his sources in the NOPD. (Tr. at 22; Ex. NOPD-2). Dr. Gallagher did tell Sgt. Hunt that officers tell him when other officers are absent from a shift or an assigned detail. (Tr. at 36-37; Ex. NOPD-2).

Sgt. Hunt also asked about how Dr. Gallagher selected the officers in his complaints and whether he selected officers based on race or gender. (Tr. at 28-29; Ex. NOPD-2). Dr. Gallagher stated that he often did not know the race or even sex of the officers identified in his complaints and that he was not personally acquainted with the officers in most cases. (Ex. NOPD-2).

After Sgt. Hunt asked about the number of complaints he had filed, Dr. Gallagher asked what relevance this question had to the investigation. (Tr. at 29; Ex. NOPD-2). Sgt. Hunt replied that the question was on her list, and that she was looking for a pattern of his complaints. (Tr. at 30; Ex. NOPD-2). Dr. Gallagher then asked if Sgt. Hunt was investigating him, and Sgt. Hunt responded that she was not investigating him and that her questions were not designed to intimidate or offend him. (Tr. at 31; Ex. NOPD-2). Dr. Gallagher informed her she was doing both. (Tr. at 31; Ex. NOPD-2).

Sgt. Hunt also asked Dr. Gallagher what the “end goal” was for filing the complaints against officers. (Tr. at 32-33; Ex. NOPD-2). She asked what discipline he expected, and Dr. Gallagher responded that he expected NOPD would impose no discipline but that he wanted the behavior to stop. (Tr. at 34; Ex. NOPD-2).

Sgt. Hunt concluded the conversation by asking if Dr. Gallagher was trying to dismantle the NOPD by filing the complaints. (Tr. at 37; Ex. NOPD-2).

Sgt. Hunt asked Dr. Gallagher no questions about the data supporting the complaint of payroll violations by the two officers. (Tr. at 44-45; Ex. NOPD-2).

Dr. Gallagher complained to NOPD about Sgt. Hunt's interview, and after an investigation, NOPD imposed the presumptive penalties for a violation of the professionalism policy (letter of reprimand), verbal intimidation (one-day suspension), and retaliation (30-day suspension). (Tr. at 38; Ex. HE-1).<sup>1</sup>

## II. ANALYSIS

### A. Legal Standard for Commission's Review of Discipline

“Employees with the permanent status in the classified service may be disciplined only for cause expressed in writing. La. Const., Art. X, Sec. 8(A).” *Whitaker v. New Orleans Police Dep't*, 2003-0512 (La. App. 4 Cir. 9/17/03), 863 So. 2d 572 (quoting *Stevens v. Dep't of Police*, 2000-1682 (La. App. 4 Cir. 5/9/01)). “Legal cause exists whenever an employee's conduct impairs the efficiency of the public service in which the employee is engaged.” *Id.* “The Appointing Authority has the burden of proving the impairment.” *Id.* (citing La. Const., art. X, § 8(A)). “The appointing authority must prove its case by a preponderance of the evidence.” *Id.* “Disciplinary action against a civil service employee will be deemed arbitrary and capricious unless there is a real and substantial relationship between the improper conduct and the “efficient operation” of the public service.” *Id.* “It is well-settled that, in an appeal before the Commission pursuant to Article X, § 8(A) of the Louisiana Constitution, the appointing authority has the burden of proving by a preponderance of the evidence: 1) the occurrence of the complained of activity, and 2) that the conduct complained of impaired the efficiency of the public service in which the

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<sup>1</sup> The investigator recommended sustaining the violation of the professionalism policy, but not the violations related to intimidation or retaliation.

appointing authority is engaged. *Gast v. Dep't of Police*, 2013-0781 (La. App. 4 Cir. 3/13/14), 137 So. 3d 731, 733 (quoting *Cure v. Dep't of Police*, 2007-0166 (La. App. 4 Cir. 8/1/07), 964 So. 2d 1093, 1094).

**1. The Appointing Authority must show the discipline was commensurate with the infraction**

The Commission has a duty to decide independently from the facts presented in the record whether the appointing authority carried its legally imposed burden of proving by a preponderance of evidence that it had good or lawful cause for disciplining the classified employee and, if so, whether such discipline was commensurate with the dereliction. *Durning v. New Orleans Police Dep't*, 2019-0987 (La. App. 4 Cir. 3/25/20), 294 So. 3d 536, 538, *writ denied*, 2020-00697 (La. 9/29/20), 301 So. 3d 1195; *Abbott v. New Orleans Police Dep't*, 2014-0993 (La. App. 4 Cir. 2/11/15); 165 So.3d 191, 197; *Walters v. Dept. of Police of the City of New Orleans*, 454 So. 2d 106 (La. 1984). The appointing authority has the burden of showing that the discipline was reasonable and not arbitrary or capricious. *Neely v. Dep't of Fire*, 2021-0454 (La. App. 4 Cir. 12/1/21), 332 So. 3d 194, 207 (“[NOFD] did not demonstrate . . . that termination was reasonable discipline”); *Durning*, 294 So. 3d at 540 (“the termination . . . deemed to be arbitrary and capricious”).

**B. NOPD Carried its Burden of Showing Cause for the Discipline of Sgt. Hunt**

Sgt. Hunt engaged in the complained-of behavior in her interview of Dr. Gallagher. Instead of interviewing Dr. Gallagher to obtain information about the substance of his complaint about two officers, she cross-examined Dr. Gallagher. Her questioning of Dr. Gallagher was unprofessional and constituted verbal intimidation. In particular, her request for Dr. Gallagher's sources, her suggestion that his complaints were motivated by discriminatory animus, and her

suggestion that Dr. Gallagher's motive was to "dismantle" NOPD, were all unprofessional and intimidating. Dr. Gallagher asked at one point whether he was being investigated, as Sgt. Hunt's focus was on Dr. Gallagher instead of the allegations of payroll fraud.

As Deputy Superintendent Nicholas Gernon testified, Sgt. Hunt's line of questioning was inappropriate, as her role was to determine the validity of the allegations of payroll fraud. (Tr. at 56-57).

The intimidation of a complainant impairs the efficient operation of NOPD, as this behavior may have a chilling effect on future complainants. (Tr. at 58).

NOPD did not carry its burden of showing that Sgt. Hunt engaged in retaliation under Rule 3, paragraph 12. First, Sgt. Hunt was unaware of any past complaints of payroll violations by Dr. Gallagher about her. (Tr. at 10-11). Second, although the policy against retaliation may be construed to apply to Sgt. Hunt's treatment of Dr. Gallagher, the NOPD policies against retaliation are intended primarily to address workplace issues, not officers' interactions with members of the public.

Deputy Superintendent Gernon testified that Rule 3, paragraph 12 read as follows at the time of Sgt. Hunt's interview of Dr. Gallagher: "[R]etaliation for reporting misconduct or for cooperating with an investigation of misconduct is an egregious offense and shall be grounds for discipline up to and including termination of employment." (Tr. at 61; *See also* Ex. HE-1, Ex. NOPD-4). The current version of Rule 3, paragraph 12 provides examples of retaliatory workplace behavior, such as assignments, evaluations, promotions, and job benefits.<sup>2</sup> Deputy Superintendent Gernon also testified he relied on NOPD Policy Chapter 23.3.3. (Tr. at 61-62). The current version

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<sup>2</sup> Available online at [Rule-3-Professional-Conduct\\_1.pdf](#)

of this policy states that NOPD is an “equal opportunity employer” and references “non-discrimination.”<sup>3</sup> In contrast, the general professionalism rule requires officers to conduct themselves with the “utmost concern for the dignity of the individual with whom they are interacting,” which is clearly intended to apply to members of the public. (Ex. HE-1). Therefore, NOPD failed to carry its burden to show that Sgt. Hunt engaged in retaliation.

**C. The Penalty is Not Commensurate with the Violation**

Because NOPD failed to show that Sgt. Hunt engaged in retaliation under Rule 3, paragraph 12, the 30-day suspension is not commensurate with the violation.

The presumptive penalties for lack of professionalism (letter of reprimand) and verbal intimidation (one-day suspension) are commensurate with the violations.

Sgt. Hunt’s appeal is GRANTED IN PART and DENIED IN PART. NOPD shall reimburse Sgt. Hunt for all backpay and emoluments of employment associated with the 30-day suspension.

WRITER:



Brittney Richardson (Mar 5, 2026 10:48:27 CST)

BRITTNEY RICHARDSON, CHAIRPERSON

CONCUR:



John H Korn (Mar 5, 2026 17:44:10 CST)

JOHN KORN, VICE-CHAIRPERSON

Mark Surprenant, Commissioner

Mark Surprenant, Commissioner (Mar 5, 2026 12:09:44 CST)

MARK SURPRENANT, COMMISSIONER

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<sup>3</sup> Available online at [Chapter-26-3-3-Retaliation.pdf](#)