



CITY OF NEW ORLEANS

DEPARTMENT OF CITY CIVIL SERVICE
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CITY CIVIL SERVICE COMMISSION
BRITTNEY RICHARDSON, CHAIRPERSON
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AMY TREPAGNIER
DIRECTOR OF PERSONNEL

Monday, February 9, 2026

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

Re: **Kaja Rhea VS.
Department of Police
Docket Number: 9717**

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 - 2/9/2026 - filed in the Office of the Civil Service Commission at 1340 Poydras St. Suite 900, Orleans Tower, New Orleans, Louisiana.

If you choose to appeal this decision, such appeal must conform to the deadlines established by the Commission's Rules and Article X, 12(B) of the Louisiana Constitution. Further, any 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 blue ink that reads "Doddie K. Smith".

Doddie K. Smith
Chief, Management Services Division

cc: Anne E. Kirkpatrick
William R. H. Goforth
Jay Ginsberg
Kaja Rhea

file



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Monday, February 9, 2026

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

Re: **Kaja Rhea VS.**
Department of Police
Docket Number: 9768

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 - 2/9/2026 - filed in the Office of the Civil Service Commission at 1340 Poydras St. Suite 900, Orleans Tower, New Orleans, Louisiana.

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For the Commission,

A handwritten signature in blue ink that reads "Doddie K. Smith".

Doddie K. Smith
Chief, Management Services Division

cc: Anne E. Kirkpatrick
Max V. Camp
Jay Ginsberg
Kaja Rhea

file

**CIVIL SERVICE COMMISSION
CITY OF NEW ORLEANS**

**KAJA RHEA,
Appellant**

Docket Nos. 9717, 9768

v.

**DEPARTMENT OF POLICE,
Appointing Authority**

DECISION

Appellant, Kaja Rhea, brings this appeal pursuant to Article X, § 8(A) of the Louisiana Constitution and this Commission's Rule II, § 4.1 seeking relief from the termination of his employment by the Department of Police (NOPD) on August 25, 2025, and the emergency suspension on April 24, 2025. (Ex. HE-1). At all relevant times, Appellant had permanent status as a Police Officer. (Tr. at 57). A Hearing Examiner appointed by the Commission presided over a hearing on October 16, 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 5, 2025, and controlling Louisiana law.

For the reasons set forth below, Rhea's appeal is DENIED.

I. FACTUAL BACKGROUND

On August 25, 2025, NOPD terminated Rhea's employment based on its finding that he engaged in stalking of his significant other and her male co-worker between March 23, 2025, and March 25, 2025. (Ex. HE-1). Rhea's behavior resulted in the issuance of two criminal municipal summonses for disturbing the peace and two arrest warrants for stalking. (Tr. at 36).

Rhea conceded that his conduct resulted in the violations of NOPD rules, as set forth in the termination letter. (Tr. at 6). Rhea argued at the hearing that the penalty of termination was not commensurate with the violations. (Tr. at 6).

NOPD offered the testimony of Nicholas Gernon, the Deputy Superintendent of the Investigative Services Bureau, who served on the Deputy Chiefs' Panel held on August 15, 2025. (Ex. NOPD-1). The Deputy Chiefs' Panel recommended the termination of Rhea's employment to Superintendent Kirkpatrick. (Ex. NOPD-1). Gernon testified that the Chiefs' Panel found that "[Rhea] was arrested or summoned in Kenner, he was arrested in Jefferson Parish for stalking, and he was also arrested in New Orleans for stalking." (Tr. at 12). Gernon also testified that the Panel found that "[Rhea] encounter[ed] [his significant other] at her place of work and [took] her cell phone forcibly, and then [came] back and [tried] to challenge her new male friend to a fight, and later on that day [went] to a hotel room that he was able to track them to . . ." (Tr. at 13-14). Gernon further testified that the Panel found that Rhea posed as a relative in an attempt to obtain information at the hotel. (Tr. at 14). The Panel also found that Rhea tracked his significant other to an address on Canal Street and also texted and called her repeatedly. (Tr. at 15). Rhea also failed to notify NOPD of the issuance of the criminal summons against him. (Tr. at 15).

Rhea testified that he had a conversation with the mother of his two children in the Target parking lot, her place of employment, about the nature of her relationship with a co-worker on March 23, 2025. (Tr. at 62). Rhea admittedly took his significant other's cell phone during this conversation. (Tr. at 55). Rhea testified he then went to see the co-worker at his residence. (Tr. at 63-64). The co-worker called the police. (Tr. at 14). Rhea also testified that he went to a hotel and posed as a relative of his significant other and his significant other's co-worker to ascertain whether they had visited the hotel. (Tr. at 64-65). A representative of the hotel called the Kenner Police

Department. (Tr. at 14). The Kenner Police Department issued a municipal summons on March 23 for violating Kenner Ordinance KE 7-127- Disturbing the Peace, and the Kenner Police Department informed NOPD of the summons on the same day. (Tr. at 29, 54-55; Ex. HE-1).

Rhea also admitted he tracked his significant other with location sharing on their devices. (Tr. at 55).

On March 24, Rhea testified he stopped at Target to engage his significant other's co-worker in conversation at the co-worker's driver's side door of his vehicle. (Tr. at 31, 66-67). The co-worker called 911. (Tr. at 68). The Kenner Police Department issued a second municipal summons on March 24 for Disturbing the Peace. (Tr. at 33; Ex. HE-1).

On March 25, 2025, NOPD obtained a warrant for Rhea's arrest under La. R.S. 14:40.2 (stalking). (Ex. HE-1).

The Kenner Police Department also obtained a warrant for Rhea's arrest for stalking. (Tr. at 33-34).

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 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 Rhea

NOPD offered only hearsay evidence of the conduct at issue. However, Rhea admitted to the bulk of the underlying conduct, including the summonses and arrest warrants. Rhea also conceded that he violated the NOPD internal rules, as set forth in the letter of termination.

The violations of law impair the efficient operation of NOPD. Violations of law by police officers undermine the legitimacy of NOPD and impair the public's trust in the department.

1. NOPD Carried its Burden of Showing the Penalty is Commensurate with the Violation

NOPD aggravated the penalty for the four sustained violations of Rule 2 requiring adherence to law. (Ex. HE-1). The reasons for the aggravation of the penalty are set forth in the August 15, 2025, recommendation from the Chiefs' Panel. (Ex. NOPD-1). Gernon testified that there were "multiple distinct violations, being against multiple victims at multiple locations." (Tr. at 38). Gernon testified that the Chiefs' Panel recommended aggravation of the penalty based on the "repeated nature" of Rhea's violation of law, as Rhea "kept going back." (Tr. at 17). This conduct resulted in the receipt of "two summonses back to back, and then arrest warrants being issued." (Tr. at 36). Gernon explained the Chiefs' Panel's specific concern with the nature of Rhea's criminal offenses as it relates to his duties, position, and responsibilities, and the confidence NOPD had in his future job performance:

And I don't know if a one-off domestic violence, disturbing the peace, stalking charge, whatever the case may be would have been something we'd be comfortable keeping him employed with the police department, but having multiple instances of him repeatedly encountering [the co-worker] as well as [the significant other] . . . causes great concern. Because as a police officer, one of the things that you do on a very regular basis is respond to domestic violence incidents and investigate them, and he was now being arrested over and over again for domestic violence incidents, and allowing him to continue his service with the police

department would certainly cause the public to question the police department's legitimacy and whether we have, you know, the public's best interest in mind by retaining him, to put us in a position where we now have documented instances of repeated criminal behavior by one of our officers, and now we're giving him a badge and a gun and arrest authority and all the power that a police officer holds in the city, and are allowing him to go out and deal with members of the public who are victims of and perpetrators of domestic violence . . .

(Tr. at 17-18).

NOPD appropriately aggravated the penalty for violation of its rule requiring adherence to law based on the repeated nature of the conduct, the resulting summonses and warrants, and the relationship between the nature of Rhea's conduct and his responsibilities as a police officer.

For the reasons set forth above, Rhea's appeal is DENIED.

WRITER:



Mark Surprenant, Commissioner (Feb 9, 2026 15:27:14 CST)

MARK SURPRENANT, COMMISSIONER

CONCUR:



Brittney Richardson, Chairperson (Feb 9, 2026 12:42:23 CST)

BRITTNEY RICHARDSON, CHAIRPERSON



John Korn, Vice-Chairperson (Feb 9, 2026 16:22:11 CST)

JOHN KORN, VICE-CHAIRPERSON