



LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

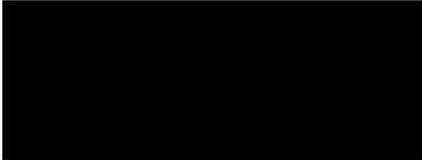
*715 South Broad Street
New Orleans, LA 70119*

"to protect and to serve"



Anne E. Kirkpatrick
SUPERINTENDENT

September 23, 2024



RE: P.I.B 2024-0212-R



Investigator Michael Hughes assigned to the New Orleans Police Department's Public Integrity investigated a complaint initiated against you. The complainant alleged you violated the following NOPD policies:

- **(V1) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-104 Carless Driving**
- **(V2) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-302 Improper Lane Change**
- **(V3) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-601 Fail to Yield or Stop at Sign**
- **(V4) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 5-65-103 DWI 1st Offense**
- **(V5) Rule 3: Professional Conduct; Paragraph 9: Use of Alcohol/Drugs Off-Duty**
- **(V6) Rule 7: Departmental Property; Paragraph 1: Use of Departmental Property**

On Saturday, April 13, 2024, Lieutenant Gervais Allison, assigned to the Public Integrity Bureau Criminal Investigations Unit was contacted via phone by New Orleans Police Department's Command Desk after receiving a call from the Mississippi County Sheriff's Office in Arkansas concerning and N.O.P.D. officer identified as [REDACTED] who was being detained. However, your identification could not be verified. Lieutenant Allison learned that Mississippi County Sheriff's Office Dispatcher Christie Tenix advised Command Desk that you had in your possession N.O.P.D. Badge #977 along with an N.O.P.D. commission ID #32001. Ms. Tenix also advised Command Desk that you were operating a vehicle recklessly and upon being stopped by law enforcement, you attempted to flee.

Lieutenant Allison contacted P.I.B. Commander, Captain Banks, who confirmed that you were an N.O.P.D. Officer who was out on sick leave. Ms. Tenix was unaware of which law enforcement agency was detaining you at the time. Lieutenant Allison provided his contact information and directed Ms. Tenix to request the arresting officer to contact him. Lieutenant Allison received a call from Trooper First Class Brad Hitchcock of Arkansas State Police Troop C. Trooper Hitchcock stated that you were being arrested for DWI and other related traffic charges.

Arkansas State Police & the Mississippi County Sheriff's Office received calls about a dark colored vehicle being operated in a reckless manner. Corporal Andrew Humphrey & Deputy Tyler Bower of the Faulkner County Sheriff's Office were traveling in the area on an unrelated incident in an unmarked white transport van and observed the same vehicle being operated in a reckless manner. Corporal Humphrey contacted the Mississippi County Sheriff's Office via phone and provided updates on the location of the vehicle. Deputy Casey Vandyke of the Mississippi County Sheriff's Office was informed of the incident and traveled to the area to intercept the vehicle. Deputy Vandyke parked her unit off road and was nearly struck by the same vehicle. Deputy Vandyke performed a traffic stop on said vehicle and was assisted by Deputy Bower & Corporal Humphrey who were still following you. You exited the vehicle you were operating and approached Deputy Vandyke's unit. Deputy Vandyke instructed you to stay in your car. You failed to respond to these instructions. The law enforcement officers on scene feared for their safety and drew their firearms at you. You were taken into custody and placed in the rear of Deputy Vandyke's unit.

Deputy Vandyke confirmed that you were an NOPD Officer when she searched for your identification in your wallet. Moments later, Trooper Hitchcock arrived on scene and took over the investigation. Trooper Hitchcock observed a lanyard around your neck and pulled it out which revealed a NOPD Frontispiece. Trooper Hitchcock administered a Standardized Field Sobriety Test to which you performed poorly. You were placed under arrest for DWI. You subsequently provided a urine sample in which THC was later detected after an analysis by Arkansas State Police Crime Lab. You pled guilty to all charges stemming from your arrest by Trooper Hitchcock. Investigator Hughes interviewed all witnesses and the arresting officer whose statements coincided.

In your administrative statement, you admitted to being in the company of your now ex-girlfriend while she was consuming THC which you knew was a violation of NOPD Policy.

After all evidence was considered, Investigator Michael Hughes, recommended the following dispositions:

- **(V1) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-104 Careless Driving-SUSTAINED**
- **(V2) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-302 Improper Lane Change-SUSTAINED**
- **(V3) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-601 Fail to Yield or Stop at Sign-SUSTAINED**
- **(V4) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 5-65-103 DWI 1st Offense-SUSTAINED**
- **(V5) Rule 3: Professional Conduct; Paragraph 9: Use of Alcohol/Drugs Off-Duty-SUSTAINED**
- **(V6) Rule 7: Departmental Property; Paragraph 1: Use of Departmental Property-SUSTAINED**

To afford you an opportunity to present facts in mitigation or to explain your actions, a Superintendent's Committee Disciplinary Hearing was held on Monday, September 23, 2024. The Committee consisted of Deputy Superintendent Jonette Williams, NOPD's Management Services Bureau, Deputy Chief Keith Sanchez, NOPD's Public Integrity Bureau, and Chief Deputy Superintendent Hans Ganthier, NOPD's Field Operations Bureau. Deputy Superintendent Williams chaired the hearing.

At the hearing, you stated you were traveling from Minnesota to New Orleans to secure housing for a permanent move. You could not recall what day he left Minnesota, or which states you were traveled through. You were traveling on an unknown interstate and observed your fuel was low. you exited to refuel your vehicle at which time you became lost due to unfamiliarity with the area. Your cellular phone was dead, and you didn't have a charger or a map. A white van was observed following you after several turns which made you very "suspicious". A traffic stop was conducted on the vehicle that you were operating. You were tackled by multiple law enforcement officers for unknown reasons after you exited your vehicle. You did not recall running up to the law enforcement vehicle.

The Superintendent's Hearing Committee considered the totality of informational content derived from the culmination of all relevant investigation material and testimony provided during the hearing. Many factors were provided for consideration which were summarized via an Interoffice Memo.

"As a Police Officer, the public's trust is necessary to uphold a good working relationship between law enforcement and citizens. As a law enforcement officer, [REDACTED] is well aware of the importance of maintaining positive relationships between law enforcement and the public. The totality of the circumstances as it relates to April 13th, 2024, incident directly impacts [REDACTED] ability to effectively handle the duties and responsibilities incumbent upon a police officer going forward".

After all testimony and evidence was considered, the Committee recommended the following disposition and penalty:

- **(V1) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-104 Careless Driving-SUSTAINED/ LEVEL A/ 1ST OFFENSEN / 1 DAY SUSPENSION (105 AGGRAVATED PENALTY**
- **(V2) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-302 Improper Lane Change-SUSTAINED LEVEL A/ 1ST OFFENSEN / 1 DAY SUSPENSION (105 AGGRAVATED PENALTY**
- **(V3) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-601 Fail to Yield or Stop at Sign-SUSTAINED LEVEL A/ 1ST OFFENSEN / 1 DAY SUSPENSION (105 AGGRAVATED PENALTY**
- **(V4) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 5-65-103 DWI 1st Offense-SUSTAINED LEVEL E/ 1ST OFFENSEN / DISMISSIAL (105 AGGRAVATED PENALTY**
- **(V5) Rule 3: Professional Conduct; Paragraph 9: Use of Alcohol/Drugs Off-Duty-SUSTAINED LEVEL A/ 1ST OFFENSEN / 3 DAY SUSPENSION (105 AGGRAVATED PENALTY**
- **(V6) Rule 7: Departmental Property; Paragraph 1: Use of Departmental Property-SUSTAINED LEVEL A/ 1ST OFFENSEN / 1 DAY SUSPENSION (105 AGGRAVATED PENALTY**

The panel determined [REDACTED] actions to be egregious violations and the penalty should be aggravated for each violation based on the following factors:

(a) The employee's level and scope of responsibility with the Department and the nature of his or her position. As a New Orleans Police Department, [REDACTED] was arrested and pled guilty to the criminal violations. He was unable to perform his duties as a police officer.

(b) The nature and seriousness of the violation and its relationship to the employee's duties, position, and responsibilities. As a New Orleans Police Officer, [REDACTED] was arrested and charged with AR Code 27-51-104 Carless Driving, AR Code 27-51-302 Improper Lane Change, AR Code 27-51-601 Fail to Yield or Stop at Sign, and AR Code 5-65-103 DWI 1st Offense. He was unable to perform his duties as a police officer.

(h) the notoriety of the offense or its impact upon the reputation of the Police Department. [REDACTED] brought discredit to the New Orleans Police Department when he was arrested and pled guilty to the criminal violations and his behavior during the incident with law enforcement officer of another jurisdiction causing them to fear for their safety during the traffic stop.

(g) Whether the employee has accepted responsibility for his or her actions, from the outset of being informed of the allegation(s); [REDACTED] believed he was targeted because his license plate displayed "Land of Lincoln" and that people in Arkansas don't believe in what Lincoln represented. [REDACTED] did not take responsibility for his actions and was observed on In-Car Camera footage almost striking the responding officers vehicle.

(r) Whether the violation results in criminal convictions or arrest: As a New Orleans Police Officer, [REDACTED] was arrested and pled guilty to the criminal violation in the State of Arkansas.

These rules/chapters read as follows:

- o **(V1) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-104 Carless Driving**

Employees shall act in accordance with the constitutions, statutes, ordinances, administrative regulations, and the official interpretations thereof, of the United States, the State of Louisiana, and the City of New Orleans, but when in another jurisdiction shall obey the applicable law. Neither ignorance of the law, its interpretations, nor failure to be physically arrested and charged, shall be regarded as a valid defense against the requirements to this rule.

You violated this rule when were observed operating a vehicle in a reckless manner which included almost striking a train and a marked police vehicle. Additionally, you plead guilty to this charge.

- **(V2) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-302 Improper Lane Change**

Employees shall act in accordance with the constitutions, statutes, ordinances, administrative regulations, and the official interpretations thereof, of the United States, the State of Louisiana, and the City of New Orleans, but when in another jurisdiction shall obey the applicable law. Neither ignorance of the law, its interpretations, nor failure to be physically arrested and charged, shall be regarded as a valid defense against the requirements to this rule.

You violated this rule when you were observed operating a vehicle during which time you traveled against traffic causing other vehicles to travel off the roadway. Additionally, you pled guilty to this charge.

- **(V3) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-601 Fail to Yield or Stop at Sign**

Employees shall act in accordance with the constitutions, statutes, ordinances, administrative regulations, and the official interpretations thereof, of the United States, the State of Louisiana, and the City of New Orleans, but when in another jurisdiction shall obey the applicable law. Neither ignorance of the law, its interpretations, nor failure to be physically arrested and charged, shall be regarded as a valid defense against the requirements to this rule.

You violated this rule when you were observed operating a vehicle during which time you disregarded a stop sign and nearly struck a marked police vehicle that was parked off road. Additionally, you pled guilty to this charge.

- **(V4) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 5-65-103 DWI 1st Offense**

Employees shall act in accordance with the constitutions, statutes, ordinances, administrative regulations, and the official interpretations thereof, of the United States, the State of Louisiana, and the City of New Orleans, but when in another jurisdiction shall obey the applicable law. Neither ignorance of the law, its interpretations, nor failure to be physically arrested and charged, shall be regarded as a valid defense against the requirements to this rule.

You violated this rule when a traffic stop was conducted on the vehicle you were operating after you almost struck a marked police vehicle that was parked off road. You displayed signs of impairment and submitted to a Standardized Field Sobriety Test. You performed poorly on the Standardized Field Sobriety Test and were arrested for DWI. A scientific analysis of the urine you provided detected THC. Additionally, you pled guilty to this charge.

○ **(V5) Rule 3: Professional Conduct; Paragraph 9: Use of alcohol/drugs off duty**

An employee while off duty, shall refrain from consuming intoxicating beverages and Schedule I, II, III, IV, or V drugs to the extent it results in impairment, intoxication, obnoxious or offensive behavior that discredits him/her, the Department, or render the employee(s) unfit to report for his/her next regular tour of duty. Commissioned employees of the Police Department shall refrain from carrying a firearm while in an alcoholic beverage outlet (R.S. 14:95.5 Possession of firearm on premises of alcoholic beverage outlet), consuming alcohol, or while under its influence.

You violated this rule when a scientific analysis of the urine submitted detected THC. During an interview at P.I.B. you disclosed a list of medicines you were prescribed which did not include marijuana. You stated that the only reason you would test positive for THC is being near your ex-girlfriend while she was smoking.

○ **(V6) Rule 7: Departmental Property; Paragraph 1: Use of Departmental Property**

Employees shall use Department property only for the purpose for which it is intended and in accordance with the Department policies, rules, procedures, and orders. Employee shall exercise care in the use of all Department property and equipment and shall promptly report any theft loss or damage of department property.

You violated this rule when you were wearing a NOPD frontispiece around your neck when you were taken into custody. The intended purpose of a NOPD frontispiece is to be worn on your garrison cap.

Moreover, your conduct is contrary to the standards as prescribed by Rule IX, Section 1., paragraph 1.1, of the Rules of the Civil Service Commission for the City of New Orleans. This Rule prescribes:

**RULE IX
DISCIPLINARY ACTIONS**

Section 1. MAINTAINING STANDARDS OF SERVICE

1.1 When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner, or has committed any act to the prejudice of the service, or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following: (a) termination from the service. (amended January 21, 1988, effective February 1, 1988); (b) involuntary retirement. (adopted June 10, 1982); (c) reduction in pay within the pay grade for the employee's classification, subject to the provisions of Rule IV, Section 3. A reduction in pay includes involuntary time away from work without pay, no matter how brief (e.g., involuntary leave without pay). (amended September 27, 1990, amended February 17, 2014); (d) demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill, accompanied by a reduction in pay which is within the pay grade range for the lower classification, subject to the provisions of Rule IV, Section 3. (amended September 27, 1990); (e) suspension without pay not exceeding one hundred twenty (120) calendar days; (f) fine; (g) letters of reprimand as defined in Rule I. (amended February 17, 2014). (Section 1.1. (a)-(f) and amended June 10, 1982, effective June 10, 1982, Section 1.1 (c) and (g) , amended February 17, 2014, effective March 1, 2014).

I approve the disposition and penalties recommended by the Superintendent Committee Disciplinary Hearing Panel.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-104 Careless Driving**. Your penalty for this violation is a **1-Day Suspension**.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-302 Improper Lane Change**. Your penalty for this violation is a **1-Day Suspension**.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 27-51-601 Fail to Yield or Stop at Stop Sign**. Your penalty for this violation is a **1-Day Suspension**.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit AR Code 5-65-103 DWI 1st Offense**. Your penalty for this violation is **Dismissal**.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 3: Professional Conduct; Paragraph 9: use of Alcohol/Drugs off duty**. Your penalty for this violation is a **3-Day Suspension**.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 7: Departmental Property; Paragraph 1: Use of Departmental Property**. Your penalty for this violation is a **2-Day Suspension**.

Your (8) Day **Suspension and Dismissal** is effective **Monday, September 23, 2024**.

This will serve as your official **Letter of Suspension and Dismissal**.

You are advised that you may have a right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Any such appeal must be in writing and received in the Civil Service Department, located at 1340 Poydras, Suite 900, New Orleans, La 70112, by close of business on the 30th day from the date of this letter.

Further, you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 504-658-6815 to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid by the City of New Orleans while you are on suspension without pay. You will lose those benefits if you do not arrange to pay for them yourself.

You are also advised that any further violations of a similar nature may result in more severe disciplinary action taken by this officer. A photocopy of this disciplinary letter will be retained in your Personnel file.

Sincerely,


Anne E. Kirkpatrick
Superintendent of Police

AEK:at

cc: Superintendent's Office
Department of City Civil Service
NOPD Personnel Office
Pension Board
Field Operations Bureau
Captain, 6th District
Public Integrity Bureau

Received by:

Date: 8-28-24

"an equal opportunity employer"



LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

715 South Broad Street
New Orleans, LA 70119

"to protect and to serve"



Anne E. Kirkpatrick
SUPERINTENDENT

October 2, 2024

[REDACTED]
Employee ID# 032001

RE: PIB CTN 2024-0149-P

[REDACTED]

Lieutenant John Helou assigned to the New Orleans Police Department's Public Integrity investigated a complaint initiated against you. The complainant alleged you violated the following NOPD policies:

- (V1) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La R.S. 14:35 Simple Battery
- (V2) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La. R.S. 14:46.1 False Imprisonment; Offender Armed with a Dangerous Weapon
- (V3) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La. R.S. 14: 134 Malfeasance in Office
- (V4) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La. R.S. 14: 62.3 Unauthorized Entry of an Inhabited Dwelling

On Wednesday, March 13, 2024, members of the Public Integrity Bureau's Criminal Investigation Section and the Investigation and Support Bureau's Special Victims Section (SVS) responded to a callout at a know location. A public generated complaint was lodged against you by a seventeen (17) year old known victim, who was involved in a traffic crash on Monday, March 4, 2024, that you along with an additional unit responded to, with you authoring a traffic crash report. During a forensic interview, the know victim stated that a few days after this crash, he began receiving multiple telephone calls from a private number as he left school. The known victim provided the forensic interviewer his phone log, which showed the calls were received on Thursday, March 7, 2024, beginning at 3:34 P.M. The known victim did not answer these calls until 4:32 P.M. when he arrived at his home and was with his family. Upon answering the call, the victim heard a male voice who stated, "This [REDACTED] where you at?" The victim stated the male on the phone asked again "in a high tone of voice as if he was angry," "Where you at, I need to come see you and check you out." The known victim gave the phone to his cousin who received the same question "Where you at?" The known victim stated his cousin advised the male on the phone of their address and moments later you arrived at the residence in a police vehicle and attired in full uniform.

You advised you were there for insurance and that you needed to check the known victim inside to see if he had any injuries. The known victim and his relatives responded that you could check him outside of the residence. The known victim then removed his shirt and spun around, allowing you to see his back. You advised that you needed to go inside to examine the known victim for any further injuries. Although the known victim informed you that he was fine and uninjured you, in a high tone of voice, insisted you need to go inside with the victim. The known victim stated he felt "weird and compelled" to follow your instructions because you were the police. The known victim stated that upon walking into his residence's living room, you instructed him to take off his shorts. When the known victim asked why, you stated "it's fine not to worry." The known victim stated, "I felt forced, uncomfortable and didn't know what was going to happen if I didn't do what he said". The known victim therefore took his pants off, but his boxer shorts (underwear) remained. The known victim stated you looked at his legs, then pulled the waistband of his shorts in the front, looked at his penis, and stated "Ok," then pulled the waistband of his shorts in the back, looked at his buttocks and said "Ok." The known victim stated you advised "He had to check my bottom parts." The know victim stated the encounter was "weird, not normal and he felt nervous" at the moment. The known victim advised that he and other relative observed you in the area of his residence parked on nearby corners or slowly driving by the residence days after the encounter, as if you were "chasing him," which made the know victim feel uncomfortable.

NOPD Investigation and Support Bureau's Special Victims Section (SVS) Sergeant Robin Scott, obtained GPS location data for your departmental-issued police radio which showed that on Thursday, March 7, 2024, beginning at 4:42 P.M. your police radio was near and inside the know victims' residence. Sgt. Scott also reviewed your daily activity report for the date of the incident, finding no old NOPD item / activity listed for the location or vicinity of the known victim's residence.

On Friday, March 15, 2024, Sgt. Scott secured an arrest warrant for you on the following charges:

- LA R.S. 14:35, Relative to Simple Battery
- LA R.S. 14:46.1, Relative to False Imprisonment w/Dangerous Weapon
- LA R.S. 14:134, Relative to Malfeasance in Office
- LA R.S. 14: 62.3, Relative to Unauthorized Entry of Inhabited Dwelling

You refused to provide a voluntary administrative statement regarding the investigation as per pervious *NOPD Chapter 52.1.1 Misconduct Conduct Intak and Investigation; Paragraph 60* which states *"The subject officer shall not be compelled to provide a statement to misconduct investigators where there is a potential criminal investigation for prosecution of the officer until the remainder of the investigation has been concluded, unless after consultation with the prosecuting agency and the PIB Deputy Superintendent, such compulsion is deemed appropriate by the Superintendent."*

After all evidence was considered, Lieutenant John Helou, recommended the following dispositions:

- **(V1) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La R.S. 14:35 Simple Battery-SUSTAINED**
- **(V2) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La. R.S. 14:46.1 False Imprisonment; Offender Armed with a Dangerous Weapon-SUSTAINED**
- **(V3) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La. R.S. 14: 134 Malfeasance in Office-SUSTAINED**
- **(V4) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La. R.S. 14: 62.3 Unauthorized Entry of an Inhabited Dwelling-SUSTAINED**
- **(V5) Rule 3: Professional Conduct; Paragraph 2: Abuse of Position-SUSTAINED**
- **(V6) Rule 6: Performance of Duty; Paragraph 4: Neglect of Duty; (C-6) Failing to comply with instructions, oral or written, from any authoritative source to wit; NOPD Chapter 41.13 Bias Free Policing, (Bias-Based Policing Prohibited), Paragraph 3-SUSTAINED**
- **(V7) Rule 6: Official Information; Paragraph 2: False or Inaccurate Reports-SUSTAINED**
- **(V8) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La. R.S. 14.40.2 Stalking-SUSTAINED**

To afford you an opportunity to present facts in mitigation or to explain your actions, a Superintendent's Committee Disciplinary Hearing was held on Wednesday, October 2, 2024. The Committee consisted of Chief Deputy Superintendent Hans Ganthier, NOPD's Field Operations Bureau, Deputy Chief Keith Sanchez, NOPD's Public Integrity Bureau, and Deputy Chief Superintendent Ryan Lubrano, NOPD's Investigative Service Bureau. Chief Deputy Superintendent Ganthier chaired the hearing.

At the hearing you (via your attorney of record Roger Jordan), stated you were not in a position to defend yourself due to the on-going Criminal Proceeding and you were not in a position to give a statement on the record, as you did not give a compelled Administrative Statement as per your 5th Amendment Rights.

The Superintendent's Hearing Committee considered the totality of informational content derived from the culmination of all relevant investigation material and testimony provided during the hearing. Many factors were provided for consideration which were summarized via an Interoffice Memo.

"As a member of the New Orleans Police Department [REDACTED] holds a position of significant public trust, in which he is sworn to uphold the law and protect citizens. Abusing that authority and power is a severe violation of that trust and oath, as such conduct undermines the legitimacy of the department and erodes public confidence in law enforcement. Termination is warranted to maintain the integrity of the police department and demonstrate that such behavior will not be tolerated. The charges indicate a blatant disregard for the law and the rights of individuals. This conduct raises serious questions about the officer's judgement, character, and ability to perform his duties in a lawful and ethical manner. A law enforcement officer who abuses their power in such a way poses a risk to public safety and cannot be trusted to serve and protect the community and sends a clear message that such violations will not be tolerated.

The New Orleans Police Department takes allegations of misconduct seriously and is committed to accountability and transparency. The termination of [REDACTED] is not only justified by also necessary to uphold the principles of justice, protect public safety, and maintain the integrity and effectiveness of the New Orleans Police Department".

After all testimony and evidence was considered, the Committee recommended the following disposition and penalty:

- (V1) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La R.S. 14:35 Simple Battery-SUSTAINED/ LEVEL G/ 1ST OFFENSE(D-D-D) / DISMISSAL
- (V2) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La. R.S. 14:46.1 False Imprisonment; Offender Armed with a Dangerous Weapon-SUSTAINED / LEVEL G / 1ST OFFENSE(D-D-D) / DISMISSAL
- (V3) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La. R.S. 14: 134 Malfesance in Office-SUSTAINED / LEVEL G / 1ST OFFENSE (D-D-D) / DISMISSAL
- (V4) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La. R.S. 14: 62.3 Unauthorized Entry of an Inhabited Dwelling-SUSTAINED/ LEVEL G / 1ST OFFENSE (D-D-D) / DISMISSAL
- (V5) Rule 3: Professional Conduct; Paragraph 2: Abuse of Position-SUSTAINED / LEVEL D / 1ST OFFENSE (2-3-5/D) /THREE (3) Day Suspension
- (V6) Rule 6: Performance of Duty; Paragraph 4: Neglect of Duty; (C-6) Failing to comply with instructions, oral or written, from any authoritative source to wit; NOPD Chapter 41.13 Bias Free Policing, (Bias-Based Policing Prohibited), Paragraph 3-SUSTAINED / LEVEL B / 1ST OFFENSE (R-1-2) / ONE (1) DAY SUSPENSION
- (V7) Rule 6: Official Information; Paragraph 2: False or Inaccurate Reports-SUSTAINED / LEVEL G / 1ST OFFENSE (D-D-D) / DISMISSAL
- (V8) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit La. R.S. 14.40.2 Stalking-SUSTAINED / LEVEL G / 1ST OFFENSE (D-D-D) / DISMISSAL

The panel determined [REDACTED] actions to be egregious violations and the penalty should be aggravated for the violations based on the following factors:

(a) The employee's level and scope of responsibility with the Department and the nature of his nature of his or her position. As a New Orleans Police Officer, [REDACTED] was arrested for the offenses of Simple Battery, False Imprisonment w/Dangerous Weapon, Malfesance in Office, and Unauthorized Entry of Inhabited Dwelling after a Magistrate found probable cause for the issuance of an arrest warrant. Law enforcement officers hold a position of significant public trust.

(b) The nature and seriousness of the violation and its relationship to the employee's duties, position, and responsibilities. As a New Orleans Police Officer, [REDACTED] was arrested for the offenses of Simple Battery, False Imprisonment w/Dangerous Weapon, Malfesance in Office, and Unauthorized Entry of Inhabited Dwelling after a Magistrate found probable cause for the issuance of an arrest warrant. Such conduct undermines the legitimacy of the police department and erodes public confidence in law enforcement. He is unable to perform his duties as a police officer.

(f) The effect of the violation upon management's confidence in the employee's future job performance; [REDACTED] conduct undermines the legitimacy of the police department and violates the integrity of the department.

(h) the notoriety of the offense or its impact upon the reputation of the Police Department. [REDACTED] brought discredit to the New Orleans Police Department when he was arrested for the offenses of Simple Battery, False Imprisonment w/Dangerous Weapon, Malfeasance in Office, and Unauthorized Entry of Inhabited Dwelling after a Magistrate found probable cause for the issuance of an arrest warrant. The charges indicated a blatant disregard for the law and rights of individuals and raises serious questions about the officer's judgement, character and ability to perform his duties in a lawful and ethical manner.

(q) Whether the employee has accepted responsibility for his or her actions, from the outset of being informed of the allegation(s) [REDACTED]

(r) Whether the violation results in criminal convictions or arrest: As a New Orleans Police Officer, [REDACTED] was arrested for the offenses of Simple Battery, False Imprisonment w/Dangerous Weapon, Malfeasance in Office, and Unauthorized Entry of Inhabited Dwelling after a Magistrate found probable cause for the issuance of an arrest warrant.

These rules/chapters read as follows:

- **(V1) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit LA R.S. 14:35 Simple Battery**

Employees shall act in accordance with the constitutions, statutes, ordinances, administrative regulations, and the official interpretations thereof, of the United States, the State of Louisiana, and the City of New Orleans, but when in another jurisdiction shall obey the applicable law. Neither ignorance of the law, its interpretations, nor failure to be physically arrested and charged, shall be regarded as a valid defense against the requirements to this rule.

You violated this rule when you were arrested on Friday, March 15, 2024 for the crime of Simple Battery after a Magistrate found probable cause for the issuance of an arrest warrant containing this charge after you allegedly pulled the front waistband of the known victim's boxers and checked his penis. You then allegedly pulled the rear waistband of the known victim's boxers and checked his buttocks. The known victim didn't want you to check these areas as it made him feel uncomfortable, but complied because he didn't know how you would act if he refused.

- **(V2) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit LA R.S. 14:46.1 False Imprisonment; Offender Armed with a Dangerous Weapon**

Employees shall act in accordance with the constitutions, statutes, ordinances, administrative regulations, and the official interpretations thereof, of the United States, the State of Louisiana, and the City of New Orleans, but when in another jurisdiction shall obey the applicable law. Neither ignorance of the law, its interpretations, nor failure to be physically arrested and charged, shall be regarded as a valid defense against the requirements to this rule.

You violated this rule when you were arrested on Friday, March 15, 2024 for the crime of False Imprisonment with a Dangerous Weapon after a Magistrate found probable cause for the issuance of an arrest warrant containing this charge after you, while on duty, allegedly arrived at the known victim's residence in a police vehicle attired a NOPD Class "B" uniform with a full duty rig-including firearm-external ballistic vest, and a BWC. You allegedly insisted he and the known victim go inside the residence so that he could check everything. Both the known victim and his brother initially refused this requested as they felt uncomfortable, but the known victim ultimately complied

with his brother also allowing it, both due to them not knowing how you would react if they refused.

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You and the known victim were alone inside the residence's living room area, you allegedly checked the known victim's legs before telling the known victim to remove his shorts so that he could check his bottom parts. You then allegedly pulled the front waistband of the known victim's boxers and checked his buttocks. The known victim didn't want you to check these areas as it made him feel uncomfortable, but complied because he didn't know how you would act if he refused.

- **(V3) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit LA R.S. 14:134 Malfesance in Office**

Employees shall act in accordance with the constitutions, statutes, ordinances, administrative regulations, and the official interpretations thereof, of the United States, the State of Louisiana, and the City of New Orleans, but when in another jurisdiction shall obey the applicable law. Neither ignorance of the law, its interpretations, nor failure to be physically arrested and charged, shall be regarded as a valid defense against the requirements to this rule.

You violated this rule when you as a public officer were arrested on Friday, March 15, 2024 for the crime of Malfesance in Office after a Magistrate found probable cause for the issuance of an arrest warrant containing this charge after you, while working on duty in your official capacity as a New Orleans Police Officer, allegedly insisted the known victim to go inside the house against his will in order for you to check for injuries sustained during a traffic crash involving the known victim that was previously investigated by you. Once you and the known victim were alone inside the residence's living room area, you allegedly instructed the known victim to remove his shorts. You then allegedly pulled the front and rear waistband of the known victim's underwear and peered inside.

- **(V4) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit LA R.S. 14:62.3 Unauthorized Entry of an Inhabited Dwelling**

Employees shall act in accordance with the constitutions, statutes, ordinances, administrative regulations, and the official interpretations thereof, of the United States, the State of Louisiana, and the City of New Orleans, but when in another jurisdiction shall obey the applicable law. Neither ignorance of the law, its interpretations, nor failure to be physically arrested and charged, shall be regarded as a valid defense against the requirements to this rule.

You violated this rule when you were arrested on Friday, March 15, 2024, for the crime of Unauthorized Entry of an Inhabited Dwelling after a Magistrate found probable cause for the issuance of an arrest warrant containing this charge after you allegedly entered the known victim's residence without permission of the known victim's or his brother.

- **(V5) Rule 3: Professional Conduct; Paragraph 2: Abuse of Position**

Employees shall not use their position, official identification cards or badges for personal or financial gain, obtaining privileges, or for avoiding consequences of illegal acts. Employees shall not lend to another person their identification cards, badges, or uniform parts identifying the wearer as a police officers, or permit them to be photographed or reproduced without the approval of the Superintendent of Police.

You violated this rule when you used your position as a commissioned police officer, while operating a police vehicle and attired in full NOPD uniform, to allegedly commit the crime of Simple Battery, False Imprisonment; Offender Armed with a Dangerous Weapon, Malfeasance in Office, and Unauthorized Entry of an Inhabited Dwelling against the known victim. You were arrested on Friday, March 15, 2024 for these above stated crimes after a Magistrate found probable cause for the issuance of an arrest warrant containing these charges.

- **(V6) Rule 4: Performance of Duty; Paragraph 4: Neglect of Duty; C-6 (Failing to comply with instructions, oral or written, from any authoritative source to wit: NOPD Chapter 41.13 Bias-Free Policing (Bias-Based Policing Prohibited) Paragraph 3**

Bias-based policing is strictly prohibited. Law enforcement and investigative decisions must be based upon observable behavior or specific and reliable information.

You violated this rule when you had not legitimate law enforcement purpose to meet with the known victim and his brother at their residence on Thursday, March 7, 2024. Although you allegedly told the known victim and his brother that you were there for insurance and to check the known victim for injuries sustained during the Monday, March 4, 2024, crash, as you completed the report regarding this crash approximately one hour after you and your partner arrived on scene to investigate the crash. The report authored by you indicted the known victim was not injured and refused EMS. You issued five (5) citations to the known victim, including one for having no proof of insurance and was towed for the violation.

- **(V7) Rule 6: Official Information; Paragraph 2: False or Inaccurate Reports**

An employee shall not knowingly make, or cause or allow to be made, a false or inaccurate oral or written record or report of an official nature, or intentionally withhold material matter from such report or statement.

You violated this rule when your Daily Activity Reports for Thursday, March 7, 2024 and Sunday, March 10, 2024 did not list the known victims residence or vicinity, nor any specific address in the [REDACTED] despite GPS location data showing you at the location once on March 7, 2024 while you were supposed to be at [REDACTED] on a Domestic Disturbance call for service. As well as nine (9) times on March 10, 2024 one of which while you were supposed to be on a self-initiated complaint at the intersection of North Galvez Street and Caffin Avenue; the other while you were supposed to be on a residence burglary call for service at [REDACTED]

- **(V8) Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit LA R.S. 14:40.2 Stalking**

Employees shall act in accordance with the constitutions, statutes, ordinances, administrative regulations, and the official interpretations thereof, of the United States, the State of Louisiana, and the City of New Orleans, but when in another jurisdiction shall obey the applicable law. Neither ignorance of the law, its interpretations, nor failure to be physically arrested and charged, shall be regarded as a valid defense against the requirements to this rule.

You violated this rule when you had no legitimate law enforcement purpose for you to be in the area of the known victim's residence on Sunday, March 10, 2024, after the alleged incident between yourself and the known victim on Thursday, March 7, 2024. During the Thursday, March 7, 2024, incident, you allegedly committed the crimes of Simple Battery, False Imprisonment; Offender Armed with a Dangerous Weapon, Malfeasance in Office, and Unauthorized Entry of an Inhabited Dwelling against the known victim at his residence in the

On Sunday, March 10, 2024, you returned to the nine times according to GPS location data. Both the known victim and the known victim's father observed you either parked about a block away from their residence or slowly driving by their residence's area on more than one of these occasions. The known victim stated during his forensic interview that seeing you in the area made the known victim feel weird due to their March 7, 2024, interaction and as if you were chasing him, which made the known victim feel uncomfortable. CAD data confirmed that you were not on any type of dispatched call for service or self-initiated activity for the during the nine times he was at this location on Sunday, March 10, 2024.

Moreover, your conduct is contrary to the standards as prescribed by Rule IX, Section I., paragraph 1.1, of the Rules of the Civil Service Commission for the City of New Orleans. This Rule prescribes:

RULE IX DISCIPLINARY ACTIONS

Section I. MAINTAINING STANDARDS OF SERVICE

1.1 When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner, or has committed any act to the prejudice of the service, or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following: (a) termination from the service. (amended January 21, 1988, effective February 1, 1988); (b) involuntary retirement. (adopted June 10, 1982); (c) reduction in pay within the pay grade for the employee's classification, subject to the provisions of Rule IV, Section 3. A reduction in pay includes involuntary time away from work without pay, no matter how brief (e.g., involuntary leave without pay). (amended September 27, 1990, amended February 17, 2014); (d) demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill, accompanied by a reduction in pay which is within the pay grade range for the lower classification, subject to the provisions of Rule IV, Section 3. (amended September 27, 1990); (e) suspension without pay not exceeding one hundred twenty (120) calendar days; (f) fine; (g) letters of reprimand as defined in Rule I. (amended February 17, 2014). (Section 1.1. (a)-(f) and amended June 10, 1982, effective June 10, 1982, Section 1.1 (c) and (g) , amended February 17, 2014, effective March 1, 2014).

I approve the disposition and penalties recommended by the Superintendent Committee Disciplinary Hearing Panel.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit LA R.S. 14:35 Simple Battery**. Your penalty for this violation is DISMISSAL.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit LA R.S. 14:46.1 False Imprisonment**. Your penalty for this violation is DISMISSAL.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit LA R.S. 14:134 Malfeasance in Office**. Your penalty for this violation is a DISMISSAL.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit LA R.S. 14:62.3 Unauthorized Force of an Inhabited Dwelling**. Your penalty for this violation is DISMISSAL.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 3: Professional Conduct; Paragraph 2: Abuse of Position**. Your penalty for this violation is a 3 -DAY SUSPENSION.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 4: Performance of Duty; Paragraph 4: Neglect of Duty; C-6 (Failing to comply with instructions, oral or written, from any authoritative source to wit: NOPD Chapter 41.13 Bias-Free Policing (Bias-Based Policing Prohibited) Paragraph 3**. Your penalty for this violation is a 1-DAY SUSPENSION.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 6: Official Information; Paragraph 2: False or Inaccurate Reports**. Your penalty for this violation is DISMISSAL.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the violation of **Rule 2: Moral Conduct; Paragraph 1: Adherence to Law; to wit LA R.S. 14:40.2 Staking**. Your penalty for this violation is DISMISSAL.

Your (4) Day Suspension and Dismissal is effective Wednesday, October 2, 2024.

This will serve as your official Letter of Suspension and Dismissal.

You are advised that you may have a right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Any such appeal must be in writing and received in the Civil Service Department, located at 1340 Poydras, Suite 900, New Orleans, La 70112, by close of business on the 30th day from the date of this letter.

Further, you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 504-658-6815 to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid by the City of New Orleans while you are on suspension without pay. You will lose those benefits if you do not arrange to pay for them yourself.

[REDACTED]
2024-0149-P

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A photocopy of this disciplinary letter will be retained in your Personnel file.

Sincerely,

[REDACTED]

Anne E. Kirkpatrick
Superintendent of Police

AEK:at

cc: Superintendent's Office
Department of City Civil Service
NOPD Personnel Office
Pension Board
Field Operations Bureau
Captain, 5th District
Public Integrity Bureau



LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

*715 South Broad Street
New Orleans, LA 70119*

"to protect and to serve"



Anne E. Kirkpatrick
SUPERINTENDENT

October 28, 2024



RE: PIB Complaint Tracking Number: 2024-0204-P
Employee ID # 016273



On Monday, April 29, 2024, Sergeant Amit Bidichandani, assigned to the First District, received an investigation initiated against you. You were accused of violating the following Rule/Chapter:

V-1: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 61.20, Compulsory Motor Vehicle Liability Security, Paragraph 3.

The complainant stated he was incorrectly arrested for possession of a firearm and the officers refused to release his vehicle to his family members who were on scene. The officers had his vehicle towed for no reason. The complainant continued by stating that the towing company auctioned his vehicle as he was unable to retrieve the vehicle due to being incarcerated.

Sergeant Amit Bidichandani reviewed the initial complaint and all corresponding documents. Upon reviewing your Body Worn Camera (BWC) footage, you were observed conducting a traffic stop wherein you introduced yourself to the driver and explained why you were stopping him. You requested the operator's driver's license, insurance and registration several times. The operator of the vehicle finally stated he just obtained the vehicle and still must get everything straight. Upon your partner (trainee) conducting an inquiry into the vehicle and the operator, it was learned he had active warrants. You then instructed your partner (trainee) to author traffic citations for no registration, no insurance and no driver's license. A detective arrived on-scene and advised that the vehicle would be detained to conduct a search upon obtaining a search warrant.

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Sergeant Amit Bidichandani then obtained your statement. In your statement you advised Sergeant Bidichandani you were acting as a Field Training Officer and supervising your partner (trainee). You stated the operator of the vehicle was unable to provide proof of insurance and was issued a citation for no insurance and no registration. You admitted you, nor your partner (trainee), issued a Notice of Violation and later learned you were supposed to issue a Notice of Violation. You stated that you thought since you were not seizing a license plate, you did not have to issue the Notice of Violation.

Based on his investigation and a preponderance of evidence, Sergeant Amit Bidichandani recommended the following disposition:

V-1: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 61.20, Compulsory Motor Vehicle Liability Security, Paragraph 3SUSTAINED.

To afford you the opportunity to present facts in mitigation or to explain your actions, a hearing was held on Friday, September 6, 2024, by Captain Kendrick Allen, assigned to the First District. After all evidence and testimony was examined, Captain Allen recommended the following disposition and discipline for the alleged Sustained violation of:

**Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 61.20, Compulsory Motor Vehicle Liability Security, Paragraph 3;
. SUSTAINED / LEVEL B / 1st Offense / LETTER OF REPRIMAND.**

On September 18, 2024, Captain Kendrick Allen authored a cover letter citing mitigating circumstances to reduce the penalty from the presumptive penalty of a one (1) day suspension to a Letter of Reprimand. Captain Allen stated that during the hearing you admitted you made a mistake as you were trying to get to another call for service. He continued by stating you read the chapter to educate yourself on the policy and you also trained your recruit on the mistake you made so the recruit would not make the same mistake.

This Rule/Chapter reads as follows:

RULE 4, PERFORMANCE OF DUTY; PARAGRAPH 4, NEGLIGENCE OF DUTY

- c. The following acts or omissions to act, although not exhaustive, are considered neglect of duty:

6. Failing to comply with instructions, oral or written, from any authoritative source.

N.O.P.D. CHAPTER 61.20, COMPULSORY MOTOR VEHICLE LIABILITY SECURITY

INSTRUCTIONS

6. Confiscated vehicle license plates will be listed on the NOPD Compulsory Insurance Violation Notices and Seized Plates Receipt Form. When available, the SOD-Traffic Section Ticket Processor shall pickup the original and shall forward the paperwork daily (Monday through Friday) between the hours of 8:00 a.m. and 4:00 p.m. to the Louisiana Department of Motor Vehicles. If the Ticket Processor is not available, the District shall be responsible for delivering the paperwork. All confiscated license plates and the corresponding white original compulsory notice shall be forwarded with the NOPD Compulsory Insurance Violation Notices and Seized Plates Receipt Form. District units shall be responsible for maintaining the blue compulsory notice copy for their files. Each division shall be responsible for maintaining a filing system for receipts.

You violated this Rule/Chapter when you did not issue, nor instructed your partner to issue a Notice of Insurance Non-Compliance.

Moreover, your conduct is contrary to the standards as prescribed by Rule IX, Section 1, paragraph 1.1, of the Rules of the Civil Service Commission for the City of New Orleans. This Rule prescribes:

**RULE IX
DISCIPLINARY ACTIONS
MAINTAINING STANDARDS OF SERVICE**

1.1 When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner or has committed any act to the prejudice of the service or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following: (a) termination from the service; (b) involuntary retirement; (c) reduction in pay within the pay grade for the employee's classification; (d) demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill; (e) suspension without pay not exceeding one hundred twenty (120) calendar days; (f) fine; and (g) letters of reprimand.

I approve of the disposition recommended by Captain Kendrick Allen; however, I do not approve the penalty, recommending Education Based Discipline in lieu of a Letter of Reprimand.

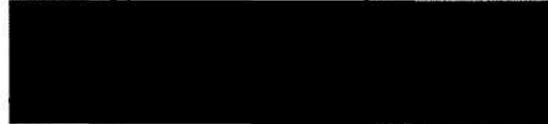
Therefore, in light of the above investigation, a review of any disciplinary records, and due to the nature of your violations, you are hereby notified of the **SUSTAINED** violation of **Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: N.O.P.D. Chapter 61.20, Compulsory Motor Vehicle Liability Security, Paragraph 3**, your penalty for this violation is **EDUCATION BASED DISCIPLINE**.

This will serve as your official notification of **EDUCATION BASED DISCIPLINE**.

You are advised that you may have the right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Any such appeal must be in writing and received by the Civil Service Department, located at 1340 Poydras Street, Suite 900, New Orleans, Louisiana 70112, by close of business on the 30th day from the date of this letter.

You are also advised that any future violations of a similar nature may result in more severe disciplinary action taken by this office. A photocopy of this disciplinary letter will be retained in your Personnel file.

Sincerely,



ANNE E. KIRKPATRICK
Superintendent of Police

cc: Superintendent's Office
Department of Civil Service
NOPD Personnel Office
NOPD Pension Board
Field Operations Bureau
Captain, First District
Public Integrity Bureau



LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS
DEPARTMENT OF POLICE

*715 South Broad Street
New Orleans, LA 70119*

"to protect and to serve"



Anne E. Kirkpatrick
SUPERINTENDENT

October 28, 2024



RE: PIB Complaint Tracking Number: 2023-0537-P
Employee ID # 008721



On Friday, October 13, 2023, Sergeant Candice Preston, assigned to the Public Integrity Bureau, received an investigation initiated against you. You were accused of violating the following Rules/Chapters:

V-1: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: R.S. 14:138, Public Payroll Fraud (45 counts)

V-2: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: N.O.P.D. Chapter 22.08, Police Secondary Employment, Paragraph 32 (183 counts).

V-3: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: N.O.P.D. Chapter 22.08, Police Secondary Employment, Paragraph 93 (13 counts).

The complaint was filed through the Officer of the Independent Police Monitor (OIPM) alleging that you engaged in public payroll fraud from 2021 through 2023. The complainant also alleged you worked overlapping regular working hours and secondary employment detail hours; that you exceeded the 16-hour and 35-minute limitations, and you had little to no transit time between your regular working hours and secondary employment details (15-minute travel time).

Sergeant Candice Preston reviewed the initial complaint and all corresponding documents. During her review, she learned you had previously been investigated on several occasions for issues concerning your time while working paid details. These violations were not included in this investigation. In addition, she also learned that department policy did not reflect the 15-minute

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travel time until June of 2022. Sergeant Preston determined that any allegation related to the 15-minute travel time prior to June 2022, is not a violation of policy. After reviewing the initial documents, Sergeant Preston obtained your statement.

In your statement you stated that during the time of these allegations you were assigned to the Management Services Bureau Fleet Section and your working hours were 6:25am to 3:00pm. You also worked on call for Fatality and Code 25 (overtime). You stated if there were changes that were needed to your payroll to ensure no overlapping hours, you would contact your supervisor.

You also stated the Officer of Secondary Police Employment (OPSE) made several errors in your payroll when working details. Specifically, if you were called out for a fatality while working a detail, you would send a "note" through the OPSE system advising when you left the detail. You told Sergeant Preston that there had been similar allegations, and you had your detail privileges revoked for 30 days. You also advised Sergeant Preston you were unaware of the "rolling 24-hour clock". Finally, you admitted that you did not review and approve your payroll as stated in policy.

Based on her investigation and a preponderance of evidence, Sergeant Candice Preston recommended the following dispositions:

V-1: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: R.S. 14:138, Public Payroll FraudUNFOUNDED.

V-2: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 32.....SUSTAINED.

V-3: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 32.....SUSTAINED.

V-4: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 93.....SUSTAINED.

To afford you the opportunity to present facts in mitigation or to explain your actions, a hearing was held on Thursday, August 15, 2024, by Captain Wayne DeLarge, assigned to the Seventh District, Captain Precious Banks, assigned to the Public Integrity Bureau and Captain Christina Watson, assigned to the Fourth District.

After all evidence and testimony was examined, the Captain's Panel recommended the following dispositions and discipline for the alleged Sustained violations of:

Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 32.....SUSTAINED / LEVEL A / 1st Offense / LETTER OF REPRIMAND.

V-3: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: N.O.P.D. Chapter 22.08, Police Secondary Employment, Paragraph 32.....SUSTAINED / LEVEL A / 1st Offense / LETTER OF REPRIMAND.

V-4: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 93.....SUSTAINED / LEVEL A / 1st Offense / LETTER OF REPRIMAND.

This Rule/Chapter reads as follows:

RULE 4, PERFORMANCE OF DUTY, PARAGRAPH 4 NEGLECT OF DUTY

- c. The following acts or omissions to act, although not exhaustive, are considered neglect of duty:
 - 6. Failing to comply with instructions, oral or written, from any authoritative source.

NOPD CHAPTER 22.08 POLICE SECONDARY EMPLOYMENT

GENERAL

- 32. No member, including Reserve officers, shall work more than 16 hours and 35 minutes (16.58 hours) within a 24-hour period. These hours are cumulative and include normal scheduled work hours, overtime, court time, off-duty police secondary employment, or outside employment. Members must have 7 hours and 25 minutes of unpaid, off-duty time within every 24-hour period.

You violated this Rule/Chapter when you worked more than 16 hours and 35 minutes in a 24-hour period on multiple days (2021).

RULE 4, PERFORMANCE OF DUTY PARAGRAPH 4 NEGLECT OF DUTY

- c. The following acts or omissions to act, although not exhaustive, are considered neglect of duty:
 - 6. Failing to comply with instructions, oral or written, from any authoritative source.

NOPD CHAPTER 22.08, POLICE SECONDARY EMPLOYMENT

GENERAL

- 32. No member, including Reserve officers, shall work more than 16 hours and 35 minutes (16.58 hours) within a 24-hour period. These hours are cumulative and include normal scheduled work hours, overtime, court time, off-duty police secondary employment, or outside employment. Members must have 7 hours and 25 minutes of unpaid, off-duty time within every 24-hour period.

You violated this Rule/Chapter when you worked more than 16 hours and 35 minutes in a 24-hour period on multiple days (2022-2023).

RULE 4, PERFORMANCE OF DUTY PARAGRAPH 4 NEGLECT OF DUTY

- c. The following acts or omissions to act, although not exhaustive, are considered neglect of duty:
 - 6. Failing to comply with instructions, oral or written, from any authoritative source.

NOPD CHAPTER 22.08, POLICE SECONDARY EMPLOYMENT

RESTRICTIONS

- 93. Officers shall allow a minimum of 15 minutes between shifts for travel to and from secondary employment assignments to ensure regular/overtime and detail shift pay differential.

You violated the Rule/Chapter when you failed to have travel time between your work shifts and

off-duty detail shifts.

Moreover, your conduct is contrary to the standards as prescribed by Civil Service Rule IX, Section 1, paragraph 1.1, on maintain standards of service, which provides:

When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner or has committed any act to the prejudice of the service or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following: (a) termination from the service; (b) involuntary retirement.; (c) reduction in pay within the pay grade for the employee's classification; (d) demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill; (e) suspension without pay not exceeding one hundred twenty (120) calendar days; (f) fine; and (g) letters of reprimand.

I approve of the dispositions and penalties recommended by Captain Wayne DeLarge, Captain Precious Banks and Captain Christina Watson.

Therefore, in light of the above investigation, a review of any disciplinary records, and due to the nature of your violations, you are hereby notified of the **SUSTAINED** violation of **Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 32**, your penalty for this violation is a **LETTER OF REPRIMAND**.

Additionally, you are hereby notified of the **SUSTAINED** violation of **Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 22.08, Secondary Employment, Paragraph 32**, your penalty for this violation is a **LETTER OF REPRIMAND**.

Finally, you are hereby notified of the **SUSTAINED** violation of **Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 22.08, Secondary Employment, Paragraph 93**, your penalty for this violation is a **LETTER OF REPRIMAND**.

This will serve as your official **LETTER OF REPRIMAND**.

You are advised that you may have the right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Any such appeal must be in writing and received by the Civil Service Department, located at 1340 Poydras Street, Suite 900, New Orleans, Louisiana 70112, by close of business on the 30th day from the date of this letter.

[REDACTED]
2023-0537-P

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You are also advised that any future violations of a similar nature may result in more severe disciplinary action taken by this office. A photocopy of this disciplinary letter will be retained in your Personnel file.

Sincerely,

[REDACTED]
ANNE E. KIRKPATRICK
Superintendent of Police

cc: Superintendent's Office
Department of Civil Service
NOPD Personnel Office
NOPD Pension Board
Field Operations Bureau
Captain, 7th District
Public Integrity Bureau

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LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

*715 South Broad Street
New Orleans, LA 70119*

"to protect and to serve"



Anne E. Kirkpatrick
SUPERINTENDENT

October 28, 2024



RE: PIB Complaint Tracking Number: 2024-0058-P
Employee ID # 018921



On Wednesday, January 31, 2024, Sergeant Athena Monteleone, assigned to the Public Integrity Bureau, received an investigation initiated against you. You were accused of violating the following Rules/Chapters:

V-1: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 93.

V-2: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: R.S. 14:138, Public Payroll Fraud.

V-3: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 19.

V-4: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 32.

V-5: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 28.

The complaint was filed through the Officer of the Independent Police Monitor (OIPM) by the complainant who alleged that you engaged in public payroll fraud by working secondary employment details while on duty for NOPD. The complainant also alleged you violated NOPD policy by working more than 16 hours and 35 minutes (16.35hrs) in a 24-hour period; only having

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6 hours off in a 39-hour period as well as having three 6-hour breaks over a 64-hour period. The complainant stated you had prior disciplinary issues related to public payroll fraud. Finally, the complainant characterized the Downtown Development District details as “sleep details.”

Sergeant Athena Monteleone reviewed the initial complaint and all corresponding documents as well as obtaining your payroll records. After reviewing these documents, Sergeant Monteleone obtained your statement, questioning you regarding each allegation. In your statement, you advised Sergeant Monteleone of the following:

Relative to V-1; you advised that you were confused by this allegation as stated as you got off work at 7:15 p.m., giving you the required 15-minute travel time. Upon questioning, Sergeant Monteleone stated your ADP time entry reflected you ended your tour of duty at 7:20 p.m. You advised you were not aware of any entry reflecting 7:20 p.m., only 7:15 p.m.

Relative to V-2; you advised Sergeant Monteleone you were aware of this mistake several months prior to her (Sergeant Monteleone) advising you about this investigation. You advised Sergeant Monteleone that your supervisor addressed this issue with you, and you filled out the required documents (Form 93 – payroll adjustment) and an interoffice correspondence.

Relative to V-3; you advised you understood the policy differently. You believed that since you were “AWP” on the two days following your suspension days, and was listed as “Holiday Off,” you were able to work details after your tour of duty ended. You began your first detail 30 minutes after your tour of duty ended.

Relative to V-4; you advised that at the time you did not have a clear understanding of the 24-hour time clock, however since being counseled by your supervisor, you now have a clear understanding.

Sergeant Monteleone did not have any questions related to V-5, as she was able to locate NOPDALL emails with the corresponding dates/weeks of the alleged violation which reflected an increase for said dates/weeks. Sergeant Monteleone continued her investigation by reviewing the information you provided in your statement. Based on her investigation and a preponderance of evidence, Sergeant Athena Monteleone recommended the following dispositions:

V-1: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 93.....SUSTAINED.

V-2: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: R.S. 14:138, Public Payroll Fraud.....UNFOUNDED.

V-3: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 19.....UNFOUNDED.

V-4: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 32.....SUSTAINED.

V-5: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 28.....EXONERATED.

Sergeant Athena Monteleone recommended the following additional Sustained violation:

V-6: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 22.08, Secondary Employment, Paragraph 20.....SUSTAINED.

To afford you the opportunity to present facts in mitigation or to explain your actions, a hearing was held on Thursday, August 15, 2024, by Captain Kendrick Allen, assigned to the Seventh District, Captain Precious Banks, assigned to the Public Integrity Bureau and Captain Eric Gillard, assigned to the Sixth District. After all evidence and testimony was examined, the Captain's Panel recommended the following dispositions and discipline for the alleged Sustained violations of:

Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 93.....SUSTAINED / NO PENALTY.

Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 32.....SUSTAINED / LEVEL A / 1st Offense / LETTER OF REPRIMAND.

Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 22.08, Secondary Employment, Paragraph 20.....SUSTAINED / LEVEL A / 1st Offense / LETTER OF REPRIMAND.

This Rule/Chapter reads as follows:

RULE 4, PERFORMANCE OF DUTY; PARAGRAPH 4 NEGLECT OF DUTY

- c. The following acts or omissions to act, although not exhaustive, are considered neglect of duty:

“an equal opportunity employer”

6. Failing to comply with instructions, oral or written, from any authoritative source.

NOPD CHAPTER 22.08 POLICE SECONDAR EMPLOYMENT

GENERAL

32. No member, including Reserve officers, shall work more than 16 hours and 35 minutes (16.58 hours) within a 24-hour period. These hours are cumulative and include normal scheduled work hours, overtime, court time, off-duty police secondary employment, or outside employment. Members must have 7 hours and 25 minutes of unpaid, off-duty time within every 24-hour period

You violated this Rule/Chapter when worked more than 16 hours and 35 minutes in a 24-hour period.

RULE 4, PERFORMANCE OF DUTY; PARAGRAPH 4 NEGLECT OF DUTY

- c. The following acts or omissions to act, although not exhaustive, are considered neglect of duty:
 6. Failing to comply with instructions, oral or written, from any authoritative source.

NOPD CHAPTER 22.08, POLICE SECONDAR EMPLOYMENT

GENERAL

20. After having been in a duty status because of which secondary employment was prohibited, members must return to full duty status and have completed at least one full tour of duty prior to working a police secondary employment opportunity.

You violated the Rule/Chapter when you worked details before completing a full tour of duty after a suspension.

Moreover, your conduct is contrary to the standards as prescribed by Civil Service Rule IX, Section 1.1 which states as follows regarding maintaining standards of service:

“an equal opportunity employer”

1.1 When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner or has committed any act to the prejudice of the service or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following: (a) termination from the service; (b) involuntary retirement; (c) reduction in pay within the pay grade for the employee's classification; (d) demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill; (e) suspension without pay not exceeding one hundred twenty (120) calendar days; (f) fine; and (g) letters of reprimand.

I approve of the dispositions and penalties recommended by Captain Kendrick Allen, Captain Precious Banks, and Captain Eric Gillard.

Therefore, in light of the above investigation, a review of any disciplinary records, and due to the nature of your violations, you are hereby notified of the **SUSTAINED** violation of **Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 22.08, Police Secondary Employment, Paragraph 32**, your penalty for this violation is a **LETTER OF REPRIMAND**.

Also, in light of the above investigation, a review of any disciplinary records, and due to the nature of your violations, you are hereby notified of the **SUSTAINED** violation of **Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 22.08, Secondary Employment, Paragraph 20**, your penalty for this violation is a **LETTER OF REPRIMAND**.

This will serve as your official **LETTER OF REPRIMAND**.

You are advised that you may have the right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Any such appeal must be in writing and received by the Civil Service Department, located at 1340 Poydras Street, Suite 900, New Orleans, Louisiana 70112, by close of business on the 30th day from the date of this letter.

You are also advised that any future violations of a similar nature may result in more severe disciplinary action taken by this office. A photocopy of this disciplinary letter will be retained in your Personnel file.

Sincerely,


ANNE E. KIRKPATRICK
Superintendent of Police

cc: Superintendent's Office

2024-0058-P

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Department of Civil Service
NOPD Personnel Office
NOPD Pension Board
Field Operations Bureau
Captain, 7th District
Public Integrity Bureau

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LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

*715 South Broad Street
New Orleans, LA 70119*

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Anne E. Kirkpatrick
SUPERINTENDENT

October 28, 2024



RE: PIB Complaint Tracking Number: 2024-0296-P
Employee ID # 007050



On Friday, June 14, 2024, Sergeant Leonard Davis, assigned to the Eighth District, received an investigation initiated against you. You were accused of violating the following Rules/Chapter:

V-1: Rule 3, Professional Conduct, Paragraph 1, Professionalism.

V-2: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 41.3.10, Body Worn Camera, Paragraph 16.

V-3: Rule 5, Restricted Activities, Paragraph 6, Acting in Civil Matters.

The complaint was filed through the Office of the Independent Police Monitor (OIPM). The complainant alleged you and your partner arrived at her residence and were very rude, screaming at her illegally evicting her. You were also accused of prematurely deactivating your Body Worn Camera while still interacting with parties to the incident.

Sergeant Leonard Davis reviewed the initial complaint and all corresponding documents. Sergeant Davis learned that the complainant contacted police when the manager of the "apartment" locked her out of her apartment. Upon arrival, officers advised her this was a Civil Matter, and this was confirmed by a supervisor. The complainant stated the manager then called the police. At this time, you and your partner arrived and were advised by the manager the subject would not leave the "hotel" and had a balance due. Sergeant Davis reviewed your Body Worn Camera (BWC) footage. Upon reviewing the footage, Sergeant Davis obtained your statement.

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You stated you spoke with the manager who had documentation and stated the “guest” had been warned several times she had to leave the hotel. He also stated she was delinquent in her rent. She also had someone else inside her room when the staff attempted to change the locks. You admitted you had responded to several similar calls recently and, on this call, you were loud and could have been nicer to the complainant. You stated the room did appear to be an apartment based on the accumulation of personal property inside and animals present. You continued by stating the complainant eventually left the location but cannot recall if she advised she was a resident. Upon the conclusion of the call for service, you stated you were outside the building with the manager and deactivated your BWC because the interaction with the complainant had ended when she exited the building.

Based on his investigation and a preponderance of evidence, Sergeant Leonard Davis recommended the following dispositions:

V-1: Rule 3, Professional Conduct, Paragraph 1, Professionalism.....SUSTAINED.

V-2: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: N.O.P.D. Chapter 41.3.10, Body Worn Camera, Paragraph 16.....EXONERATED.

V-3: Rule 5, Restricted Activities, Paragraph 6, Acting in Civil Matters-NOT SUSTAINED.

On August 15, 2024, a cover letter was authored by Deputy Superintendent Hans Ganthier who stated he did not concur with the investigator’s dispositions for V-2 and V-3. Chief Ganthier stated that for V-2, you were still having conversations with the manager related to this incident and should not have turned your Body Worn Camera off. Chief Ganthier also stated you advised that the complainant appeared to have established residency at the location.

The investigation noted the location appeared to be more than just a hotel. In addition, the complainant advised you that she had been living at the residence since May of 2023 and received mail at the location. You failed to gather any additional information relating to how long the complainant lived at the location, to show there was no contract or agreement with the complainant or any documentation from the manager to disprove the location was a hotel or short-term rental. Chief Ganthier stated that removing someone from their residence without proper legal grounds can constitute wrongful eviction. For these reasons, Chief Ganthier recommended the following dispositions:

V-1: Rule 3, Professional Conduct, Paragraph 1, Professionalism SUSTAINED.

V-2: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 41.3.10, Body Worn Camera, Paragraph 16 SUSTAINED.

V-3: Rule 5, Restricted Activities, Paragraph 6, Acting in Civil Matters SUSTAINED.

To afford you the opportunity to present facts in mitigation or to explain your actions, a hearing was held on Monday, September 9, 2024, by Captain Lejon Roberts, assigned to the Eighth District. After all evidence and testimony was examined, Captain Roberts recommended the following dispositions and discipline for the alleged Sustained violations of:

V-1: Rule 3, Professional Conduct, Paragraph 1, Professionalism...SUSTAINED / LEVEL A / 1st Offense / LETTER OF REPRIMAND.

V-2: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: N.O.P.D. Chapter 41.3.10, Body Worn Camera, Paragraph 16.....SUSTAINED / LEVEL A / 1st Offense / LETTER OF REPRIMAND.

V-3: Rule 5, Restricted Activities, Paragraph 6, Acting in Civil Matters SUSTAINED / LEVEL A / 1st Offense / LETTER OF REPRIMAND.

On September 17, 2024, a cover letter was authored by Captain Lejon Roberts. Captain Roberts stated you should have known that all matters regarding evictions are referred to the City Constable Office per department policy. However, you removed the complainant from the premises without her belongings based on the property manager's word she was delinquent on her rent. Captain Roberts also stated he felt you were acting in good faith, and you did author a report but failed to take the necessary steps required by department policy and mandates to notify the City Constable's office. You advised Captain Roberts you do understand the policy and situations like this will not happen again. Captain Roberts stated he felt a Letter of Reprimand for these allegations was sufficient.

These Rules/Chapter read as follows:

RULE 3, PROFESSIONAL CONDUCT, PARAGRAPH 1, PROFESSIONALISM

Employees shall conduct themselves in a professional manner with the utmost concern for the dignity of the individual with whom they are interacting. Employees shall not unnecessarily inconvenience or demean any individual or otherwise act in a manner which brings discredit to the employee or the New Orleans Police Department.

You violated this Rule when you acted unprofessionally, conducting yourself in a loud, rude and aggressive manner with interacting with the complainant.

RULE 4, PERFORMANCE OF DUTY; PARAGRAPH 4 NEGLECT OF DUTY

- c. The following acts or omissions to act, although not exhaustive, are considered neglect of duty:
 - 6. Failing to comply with instructions, oral or written, from any authoritative source.

NOPD CHAPTER 41.3.10, BODY WORN CAMERA (BWC)

CESSATION OF RECORDING

- 16. The BWC shall be utilized by any Department member assigned this device during all investigative or enforcement contacts. Once the BWC system is activated, it shall remain on and shall not be turned off until an investigative or enforcement contact or incident has concluded, including marking up the final disposition of the item and any supervisor approved signal changes. For purposes of this section, conclusion of an incident has occurred when an officer has terminated contact with an individual, cleared the scene of a reported incident, and has completed transport of a civilian or an arrestee.

You violated the Rule/Chapter when you deactivated your Body Worn Camera while still interacting with subjects of the call for service.

RULE 5, RESTRICTED ACTIVITIES – PARAGRAPH 6 ACTING IN CIVIL MATTERS

Members shall not give legal advice or express a legal opinion in civil matters beyond that which is necessary to prevent a breach of the peace or violation of law, but shall instead suggest that inquirer seek such information from another source of the inquirer's choosing.

You violated the Rule when you acted in a Civil Matter by evicting the complainant from her residence.

Moreover, your conduct is contrary to the standards as prescribed by Civil Service Rule IX, Section 1, paragraph 1.1, which provides as follows regarding maintaining standards of service:

“an equal opportunity employer”

1.1 When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner or has committed any act to the prejudice of the service or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following: (a) termination from the service; (b) involuntary retirement; (c) reduction in pay within the pay grade for the employee's classification; (d) demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill; (e) suspension without pay not exceeding one hundred twenty (120) calendar days; (f) fine; and (g) letters of reprimand.

I approve of the dispositions and penalties recommended by Captain Lejon Roberts.

Therefore, in light of the above investigation, a review of any disciplinary records, and due to the nature of your violations, you are hereby notified of the **SUSTAINED** violation of **Rule 3, Professional Conduct, Paragraph 1, Professionalism**, your penalty for this violation is a **LETTER OF REPRIMAND**.

Additionally, you are hereby notified of the **SUSTAINED** violation of **Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 41.3.10, Body Worn Camera, Paragraph 16**, your penalty for this violation is a **LETTER OF REPRIMAND**.

Finally, you are hereby notified of the **SUSTAINED** violation of **Rule 5, Restricted Activities, Paragraph 6, Acting in Civil Matters**, your penalty for this violation is a **LETTER OF REPRIMAND**.

This will serve as your official **LETTER OF REPRIMAND**.

You are advised that you may have the right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Any such appeal must be in writing and received by the Civil Service Department, located at 1340 Poydras Street, Suite 900, New Orleans, Louisiana 70112, by close of business on the 30th day from the date of this letter.

You are also advised that any future violations of a similar nature may result in more severe disciplinary action taken by this office. A photocopy of this disciplinary letter will be retained in your Personnel file.

Sincerely,



ANNE E. KIRKPATRICK
Superintendent of Police

2024-0296-P

Page 6 of 6

cc: Superintendent's Office
Department of Civil Service
NOPD Personnel Office
NOPD Pension Board
Field Operations Bureau
Captain, 8th District
Public Integrity Bureau

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LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

*715 South Broad Street
New Orleans, LA 70119*

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Anne E. Kirkpatrick
SUPERINTENDENT

October 29, 2024



RE: PIB Complaint Tracking Number: 2023-0570-P
Employee ID # 031002



On Wednesday, November 1, 2023, Sergeant Juan Barnes, assigned to the Seventh District, received an investigation initiated against you. You were accused of violating the following Rules/Chapter:

V-1: Rule 2, Moral Conduct, Paragraph 2, Courtesy.

V-2: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 13.29, Self-Identification/Building Security, Paragraph 6.

The complaint was filed through the Office of the Independent Police Monitor (OIPM). The complaint stated that you and an unknown female officer may have attempted to discourage an individual from observing and recording an arrest or from remaining in the vicinity of an incident. The complaint continued by stating you were rude, unprofessional and hostile toward the subject when speaking; you failed to provide your badge number after multiple requests; and you were heard on video using profanity toward the subject.

Sergeant Juan Barnes reviewed the initial complaint and provided documentation. Sergeant Barnes reviewed your Body Worn Camera (BWC) footage wherein you were observed chasing a subject on foot and using profanity. After handcuffing the subject, a vehicle was observed to stop in the middle of the street. Upon acknowledging the unknown female in the vehicle, you used profanity toward her.

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Sergeant Juan Barnes then obtained your statement. In your statement you advised Sergeant Barnes you stopped a vehicle wherein the driver fled the scene. Upon catching and apprehending the driver, a female stopped and began saying a lot of racial things and being disrespectful. She then began crossing into the scene, at which time she was instructed to not come any further. Crime tape was then put up to secure the scene. You continued by stating after about thirty minutes, you began ignoring her and called for a supervisor.

Upon the arrival of the Supervisor, he attempted to speak with the female and at some point removed himself from the conversation. You stated you advised her to go to the Seventh District Police Station as you did not feel it was reasonable and smart to continue engaging in conversation with her. You also stated it was very probable you used profanity toward the arrested subject. You also stated you may have used profanity toward the other subjects, but you did not remember.

Based upon his investigation and a preponderance of evidence, Sergeant Juan Barnes recommended the following dispositions:

V-1: Rule 2, Moral Conduct, Paragraph 2, Courtesy..... SUSTAINED.

V-2: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 13.29, Self-Identification/Building Security, Paragraph 6 SUSTAINED.

To afford you the opportunity to present facts in mitigation or to explain your actions, a Captain’s Hearing was held on Friday, March 8, 2024, by Captain Wayne DeLarge, assigned to the Seventh District. After all evidence and testimony was examined, Captain DeLarge recommended the following dispositions and discipline for the alleged Sustained violations of:

V-1: Rule 2, Moral Conduct, Paragraph 2, Courtesy..... SUSTAINED / LEVEL A / 5th Offense / TWO (2) DAY SUSPENSION

V-2: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: N.O.P.D. Chapter 13.29, Self-Identification/Building Security, Paragraph 6 SUSTAINED / LEVEL A / 5th Offense / TWO (2) DAY SUSPENSION.

On May 13, 2024, Captain Wayne DeLarge authored a cover letter citing mitigating circumstances to reduce the penalty from the presumptive penalty of a five (5) day suspension to a two (2) day suspension for each violation. Captain DeLarge stated you had encountered the arrested subject on several occasions, and he purposely and maliciously rammed the police vehicle during each encounter. He stated that even though Officers are required to always remain professional, the human factor must be considered as well. Captain DeLarge stated that considering the heat of the

moment and the previous encounters, you should be held accountable for your actions; however, a ten (10) day suspension (five days for each allegation) is excessive, and a four (4) day suspension (two days for each allegation) is more suitable. He continued by stating you should and would be penalized, but it should not include your entire paycheck.

These Rules/Chapter read as follows:

RULE 2, MORAL CONDUCT PARAGRAPH 2, COURTESY

Employees shall be courteous, civil and respectful in their conduct toward all persons. The use of profane, vulgar or discourteous gestures or language to or in the presence of any citizen is prohibited. The use of profane, vulgar or discourteous gestures or language either verbal or written by one employee to another employee is prohibited.

You violated this Rule when you admitted you used profanity toward the arrested subject and the unknown female on scene.

RULE 4 PERFORMANCE OF DUTY PARAGRAPH 4 NEGLECT OF DUTY

- c. The following acts or omissions to act, although not exhaustive, are considered neglect of duty:
 - 6. Failing to comply with instructions, oral or written, from any authoritative source.

NOPD CHAPTER 13.29 SELF-IDENTIFICATION/BUILDING SECURITY

INSTRUCTIONS

- 6. All members, when acting in their official capacity, shall courteously provide their name, rank, badge number, or civil service classification to any person who reasonably requests this information

You violated the Rule when you admitted you did not provide your badge number to citizens upon their request.

Moreover, your conduct is contrary to the standards as prescribed by Civil Service Rule IX, Section 1, paragraph 1.1, on maintaining standards of service:

When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner or has committed any act to the prejudice of the service or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following: (a) termination from the service; (b) involuntary retirement; (c) reduction in pay within the pay grade for the employee's classification; (d) demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill; (e) suspension without pay not exceeding one hundred twenty (120) calendar days; (f) fine; and (g) letters of reprimand.

I approve of the dispositions and penalties recommended by Captain Wayne Delarge.

Therefore, in light of the above investigation, a review of any disciplinary records, and due to the nature of your violations, you are hereby notified of the **SUSTAINED** violation of **Rule 2, Moral Conduct, Paragraph 2, Courtesy**, your penalty for this violation is a **TWO (2) DAY SUSPENSION**.

Additionally, you are hereby notified of the **SUSTAINED** violation of **Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 13.29, Self - Identification/Building Security, Paragraph 6**, your penalty for this violation is a **TWO (2) DAY SUSPENSION**.

This will serve as your official **LETTER OF SUSPENSION**.

Your **FOUR (4) Day Suspension** is effective the week of **NOVEMBER 17, 2024**. The actual starting day of your Four (4) Day Suspension **during that week** is at the discretion of your Captain. **This suspension is to run without interruption and AWP days are not counted as Suspension Days. During the entire two week pay cycles where you have served your suspension day(s), you must be carried for the entire two week pay cycle on an 8:35 hour work week.**

You are advised that you may have the right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Any such appeal must be in writing and received by the Civil Service Department, located at 1340 Poydras Street, Suite 900, New Orleans, Louisiana 70112, by close of business on the 30th day from the date of this letter.

Further, you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 504-658-8615 to make the necessary arrangements to maintain Hospitalization Insurance payments. These payments are not paid by the City of New Orleans while you are on suspension. You will lose those benefits if you do not arrange to pay for them yourself.

[REDACTED]
2023-0570-P

Page 5 of 5

You are also advised that any future violations of a similar nature may result in more severe disciplinary action taken by this office. A photocopy of this disciplinary letter will be retained in your Personnel file.

Sincerely,

[REDACTED]

ANNE E. KIRKPATRICK

Superintendent of Police

cc: Superintendent's Office
Department of Civil Service
NOPD Personnel Office
NOPD Pension Board
Field Operations Bureau
Captain, Seventh District
Public Integrity Bureau

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LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

*715 South Broad Street
New Orleans, LA 70119*

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Anne E. Kirkpatrick
SUPERINTENDENT

October 29, 2024



RE: PIB Complaint Tracking Number: 2024-0164-P
Employee ID # 026494



On Wednesday, April 10, 2024, Sergeant Charles Hoffacker, assigned to the First District, received an investigation initiated against you. You were accused of violating the following Rules/Chapters:

V-1: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 1.2.4.3, Vehicle Stops, Paragraph 6.

V-2: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 81.4, Mobile Digital Computer and Automatic Vehicle Locator Use, Paragraph 1.

V-3: Rule 2, Moral Conduct, Paragraph 2, Courtesy.

The complainant stated while in Mandeville, Louisiana, you conducted a traffic stop involving his daughter. He accused you of using foul and offensive language when requesting his daughter's driving information. The complainant stated you did not issue a citation to his daughter and no local police officers arrived to assist.

Sergeant Charles Hoffacker reviewed the initial complaint and all corresponding documents. Sergeant Hoffacker learned that you advised your supervisor of the incident and believed it would result in a public complaint. You stated to your supervisor you observed a female driving recklessly and elected to initiate a traffic stop. You also stated the driver of the vehicle seemed skeptical that you were a police officer as you were in plain clothes; however, you did produce your badge. You also advised your supervisor you did not contact the local authorities.

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Sergeant Hoffacker attempted to obtain a copy of the outside agencies report, however no report existed. Sergeant Hoffacker then obtained your statement .

In your statement you advised Sergeant Hoffacker while returning home in your take-home vehicle, you observed a vehicle swerving. You stated at one point the vehicle served into your lane causing you to almost lose control of your vehicle. You then stated you initiated a vehicle stop. You advised Sergeant Hoffacker you were in plain clothes and produced your badge. Upon observing the driver of the vehicle, you stated she did not appear to have a medical problem and may have been utilizing a cell phone. As you began speaking with the driver, she rolled up her window and left the scene. You stated you did not follow her; however, you did obtain her license plate number.

Upon questioning, you stated you did not document the incident as you were just checking on her wellbeing. You denied using foul or unprofessional language when speaking with the driver. You advised Sergeant Hoffacker you did not contact local law enforcement because it was not a criminal matter. You also stated that you were unaware if either Mandeville Police or St. Tammany Parish Sheriff's Office documented the incident.

Sergeant Hoffacker then inquired about the license plate being checked through CastNet to which you stated that a vehicle had been passing up and down the street by your residence and stopped, pointing an object at you. You stated you did not know what the object was, however, you were concerned about your safety and the safety of your family. It was learned the license plate ran was the same license plate you obtained on the traffic stop.

Based on his investigation and a preponderance of evidence, Sergeant Charles Hoffacker recommended the following dispositions:

V-1: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 1.2.4.3, Vehicle Stops, Paragraph 6SUSTAINED.

V-2: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: N.O.P.D. Chapter 81.4, Mobile Digital Computer and Automatic Vehicle Locator Use, Paragraph 1 SUSTAINED.

V-3: Rule 2, Moral Conduct, Paragraph 2, Courtesy..... NOT SUSTAINED.

To afford you the opportunity to present facts in mitigation or to explain your actions, a hearing was held on Friday, September 6, 2024, by Captain Kendrick Allen, assigned to the First District. After all evidence and testimony was examined, Captain Roberts recommended the following dispositions and discipline for the alleged Sustained violations of:

V-1: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 1.2.4.3, Vehicle Stops, Paragraph 6 SUSTAINED / LEVEL B / 1st Offense / ONE (1) DAY SUSPENSION.

V-2: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: N.O.P.D. Chapter 81.4, Mobile Digital Computer and Automatic Vehicle Locator Use, Paragraph 1SUSTAINED / LEVEL B / 1st Offense / ONE (1) DAY SUSPENSION.

This Rules/Chapters read as follows:

RULE 4, PERFORMANCE OF DUTY PARAGRAPH 4 NEGLECT OF DUTY

- c. The following acts or omissions to act, although not exhaustive, are considered neglect of duty:
 - 6. Failing to comply with instructions, oral or written, from any authoritative source.

NOPD CHAPTER 1.2.4.6 VEHICLE STOPS

CONDUCTING VEHICLE STOPS

- 6. NOPD officers, either on-duty or off-duty, are not authorized to make vehicle stops outside of Orleans Parish, unless the violation would be considered a felony under state law. If a vehicle stop for a felony violation is made outside of Orleans Parish, the officer shall contact the law enforcement agency with jurisdiction as soon as feasible of the impending or actual stop supplying all requested information.

You violated the Rule/Chapter when, by your own admission, you conducted a traffic stop and never notified local law enforcement. Despite departing the scene, further investigations were conducted on the subject's vehicle.

RULE 4, PERFORMANCE OF DUTY PARAGRAPH 4 NEGLECT OF DUTY

- c. The following acts or omissions to act, although not exhaustive, are considered neglect of duty:

- 6. Failing to comply with instructions, oral or written, from any authoritative source.

NOPD CHAPTER 81.4, MOBILE DIGITAL COMPUTER AND AUTOMATIC VEHICLE LOCATOR USE

MOBILE DIGITAL COMPUTER (MDC) USE

- 1. The MDC shall be used for official police communications only.

You violated the Rule/Chapter when, by your own admission, you intentionally ran the license plate through the CastNet system, which was also supported by physical evidence.

Moreover, your conduct is contrary to the standards as prescribed by Civil Service Rule IX, Section 1, paragraph 1.1, on maintaining standards of service:

When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner or has committed any act to the prejudice of the service or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following: (a) termination from the service; (b) involuntary retirement; (c) reduction in pay within the pay grade for the employee's classification; demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill; (e) suspension without pay not exceeding one hundred twenty (120) calendar days; (f) fine; and (g) letters of reprimand.

I approve of the dispositions recommended by Captain Lejon Roberts, but not the penalties, finding as follows:

V-1: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 1.2.4.3, Vehicle Stops, Paragraph 6 SUSTAINED / LEVEL B / 1st Offense / LETTER OF REPRIMAND.

V-2: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 81.4, Mobile Digital Computer and Automatic Vehicle Locator Use, Paragraph 1SUSTAINED / LEVEL B / 1st Offense / LETTER OF REPRIMAND.

Therefore, in light of the above investigation, a review of any disciplinary records, and due to the nature of your violations, you are hereby notified of the **SUSTAINED** violation of **Rule 4,**

2024-0164-P

Page 5 of 5

Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: N.O.P.D. Chapter 1.2.4.3, Vehicle Stops, Paragraph 6, your penalty for this violation is a LETTER OF REPRIMAND.

Also, in light of the above investigation, a review of any disciplinary records, and due to the nature of your violations, you are hereby notified of the **SUSTAINED** violation of **Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: N.O.P.D. Chapter 81.4, Mobile Digital Computer and Automatic Vehicle Locator Use, Paragraph 1, your penalty for this violation is a LETTER OF REPRIMAND**

This will serve as your official **LETTER OF REPRIMAND.**

You are advised that you may have the right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Any such appeal must be in writing and received by the Civil Service Department, located at 1340 Poydras Street, Suite 900, New Orleans, Louisiana 70112, by close of business on the 30th day from the date of this letter.

You are also advised that any future violations of a similar nature may result in more severe disciplinary action taken by this office. A photocopy of this disciplinary letter will be retained in your Personnel file.

Sincerely,


ANNE E. KIRKPATRICK
Superintendent of Police

cc: Superintendent's Office
Department of Civil Service
NOPD Personnel Office
NOPD Pension Board
Field Operations Bureau
Captain, First District
Public Integrity Bureau



LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

*715 South Broad Street
New Orleans, LA 70119*

"to protect and to serve"



Anne E. Kirkpatrick
SUPERINTENDENT

October 29, 2024



RE: PIB Complaint Tracking Number: 2024-0280-P
Employee ID # 029803



On Thursday, June 11, 2024, Sergeant Shawn Jenkins, assigned to the Fifth District, received an investigation initiated against you. You were accused of violating the following Rules/Chapter:

V-1: Rule 3, Professional Conduct, Paragraph 1, Professionalism.

V-2: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 17.2.2, Take Home Vehicles, Paragraph 6.

The complainant stated marked NOPD Unit 23129 was observed driving in a reckless manner on the "Spillway" (I-10 Westbound near Loyola Avenue). The complainant advised that the vehicle almost caused several accidents and was observed exiting the interstate at Exit 209 in Laplace. The complainant further advised she followed the accused into the McDonald's parking lot.

Sergeant Shawn Jenkins reviewed the initial complaint and all corresponding documents. Sergeant Jenkins learned the vehicle in question was assigned to you. She then obtained the location history data for the date of the alleged incident. Sergeant Jenkins learned that the vehicle travelled from Slidell, Louisiana through New Orleans and Metairie, Louisiana then to the Bonne Carre Spillway in St. Charles Parish, Louisiana.

Sergeant Shawn Jenkins obtained your statement. In your statement you advised Sergeant Jenkins you were assigned the vehicle, and you utilized the vehicle on the date in question. You also advised you were off that day and you did not work any details. You stated you were not

"an equal opportunity employer"

[REDACTED]

2024-0280-P

Page 2 of 4

responding to an emergency or conducting police business using your take home vehicle. Based on her investigation and a preponderance of evidence, Sergeant Shawn Jenkins recommended the following dispositions:

V-1: Rule 3, Professional Conduct, Paragraph 1, ProfessionalismNOT SUSTAINED.

V-2: Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: N.O.P.D. Chapter 17.2.2, Take Home Vehicles, Paragraph 6SUSTAINED.

To afford you the opportunity to present facts in mitigation or to explain your actions, a hearing was held on Monday, September 30, 2024, by Captain Jennifer Hill-Dupree, assigned to the Fifth District. After all evidence and testimony was examined, Captain Hill-Dupree recommended the following disposition and discipline for the alleged Sustained violation of:

Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: N.O.P.D. Chapter 17.2.2, Take Home Vehicles, Paragraph 6.SUSTAINED / LEVEL A / 1st Offense / LETTER OF REPRIMAND.

This Rule/Chapter reads as follows:

RULE 4, PERFORMANCE OF DUTY PARAGRAPH 4 NEGLECT OF DUTY

- c. The following acts or omissions to act, although not exhaustive, are considered neglect of duty:
 - 6. Failing to comply with instructions, oral or written, from any authoritative source.

NOPD CHAPTER 17.2.2 TAKE-HOME VEHICLES

POLICY STATEMENT

- 6. Members assigned a take-home vehicle shall not use the vehicle while off-duty, outside of limited personal use, unless expressly approved by the Superintendent of Police because of the nature of the member’s assignment (i.e., Command Staff on callout, investigators while on-call. etc.).

You violated this Rule/Chapter when you operated your assigned take home vehicle during off-duty status and you were not responding to an emergency, nor did you conduct police business

while you operated your take home vehicle.

Moreover, your conduct is contrary to the standards as prescribed by Civil Service Rule IX, Section 1, paragraph 1.1, on maintaining standards of service.

When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner or has committed any act to the prejudice of the service or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following: (a) termination from the service; (b) involuntary retirement; (c) reduction in pay within the pay grade for the employee's classification; (d) demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill; (e) suspension without pay not exceeding one hundred twenty (120) calendar days; (f) fine; and (g) letters of reprimand.

I approve of the disposition and penalty recommended by Captain Jennifer Hill-Dupree.

Therefore, in light of the above investigation, a review of any disciplinary records, and due to the nature of your violations, you are hereby notified of the **SUSTAINED** violation of **Rule 4, Performance of Duty, Paragraph 4, C-6, to wit: NOPD Chapter 17.2.2, Take Home Vehicles, Paragraph 6**, your penalty for this violation is a **LETTER OF REPRIMAND**.

This will serve as your official **LETTER OF REPRIMAND**.

You are advised that you may have the right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Any such appeal must be in writing and received by the Civil Service Department, located at 1340 Poydras Street, Suite 900, New Orleans, Louisiana 70112, by close of business on the 30th day from the date of this letter.

You are also advised that any future violations of a similar nature may result in more severe disciplinary action taken by this office. A photocopy of this disciplinary letter will be retained in your Personnel file.

Sincerely,

ANNE E. KIRKPATRICK
Superintendent of Police

2024-0280-P

Page 4 of 4

cc: Superintendent's Office
Department of Civil Service
NOPD Personnel Office
NOPD Pension Board
Field Operations Bureau
Captain, Fifth District
Public Integrity Bureau



LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

*715 South Broad Street
New Orleans, LA 70119*

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Anne E. Kirkpatrick
SUPERINTENDENT

November 11, 2024

[REDACTED]

RE: PIB Complaint Tracking Number: 2023-0110-R
Employee ID# 018293

[REDACTED]

On Tuesday, March 21, 2023, Sergeant Aiyana Francis ("Sgt. Francis"), assigned to the Public Integrity Bureau Administrative Section, was assigned this investigation, in which you were accused of violating the following Rule:

V-1: Rule 4: Performance of Duty, Paragraph 4: Neglect of Duty, B.

The complaint stated you failed to supervisor and/or the counsel officers in reference to how the officers documented the distance traveled during a vehicle pursuit and the officers' failure to investigate a hit and run. Sgt. Francis reviewed the initial complaint documents as well as the Body Worn Camera (BWC) footage and obtained statements from all parties involved in this incident.

In your statement, you told Sgt. Francis that several officers were involved in a Use of Force incident and a pursuit of a short distance. After reviewing all incident reports, force statements and BWC footage associated with the incident, you documented that during the pursuit, the officers traveled 1.4 miles. Sgt. Francis inquired about the discrepancy between the officers stating they travelled (2 blocks) and the 1.4 miles you documented. You advised Sergeant Francis you did not catch the discrepancy because there was a lot going on.

You also stated you did not document the discrepancy in the Supervisor Feedback Log. Upon further questioning, you also stated that you did not catch the comment on an officer's BWC that the suspect's vehicle was involved in a hit and run accident, accordingly, no hit and run report was written.

Based on her investigation, and a preponderance of evidence, Sergeant Francis recommended the following dispositions:

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V-1: Rule 4: Performance of Duty, Paragraph 4: Neglect of Duty, (b) Supervisory ResponsibilitiesSUSTAINED.

To afford you the opportunity to present facts in mitigation or to explain your actions, a Captains Panel Hearing was held on Thursday, August 22, 2024, by Captain Wayne DeLarge, assigned to the Seventh District, Captain Precious Banks, assigned to the Public Integrity Bureau and Captain Christina Watson, assigned to the Fourth District. After all evidence and testimony was examined, the Captains recommended the following disposition and discipline for the alleged violation of:

Rule 4: Performance of Duty, Paragraph 4: Neglect of Duty, (b) Supervisory Responsibilities SUSTAINED / LEVEL A / 1st Offense / LETTER OF REPRIMAND.

The Rule reads as follows:

RULE 4: PERFORMANCE OF DUTY PARAGRAPH 4 NEGLECT OF DUTY

- (b) An employee with supervisory responsibility shall be in neglect of duty whenever he fails to properly supervise subordinates, or when his actions in matters relating to discipline fail to conform with the dictates of Departmental Rules, Policies and Procedures.

You violated this Rule when you failed to document a discrepancy in distance traveled in a vehicle pursuit and document that a Hit and Run report be authored after it was stated on Body Worn Camera footage.

Moreover, your conduct is contrary to the standards as prescribed by Civil Service Rule IX, Section 1, Maintaining Standards of Service, paragraph 1.1:

When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner or has committed any act to the prejudice of the service or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following: (a) termination from the service; (b) involuntary retirement; (c) reduction in pay within the pay grade for the employee's classification; (d) demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill; (e) suspension without pay not exceeding one hundred twenty (120) calendar days; (f) fine; and (g) letters of reprimand.

I approve the disposition and penalty recommended by Captain Wayne Delarge, Captain Precious Banks and Captain Christina Watson.

Therefore, in light of the above investigation, a review of any disciplinary records, and due to the nature of your violation, you are hereby notified of the **SUSTAINED** violation of: **Rule 4: Performance of Duty, Paragraph 4: Neglect of Duty, (b) Supervisory Responsibilities**. Your penalty for this violation is a **LETTER OF REPRIMAND**.

2023-0110-R

Page 3 of 3

This will serve as your official **LETTER OF REPRIMAND.**

You are advised that you may have the right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) calendar days from the date of this letter. Any such appeal must be in writing and received by the Civil Service Department, located at 1340 Poydras Street, Suite 900, New Orleans, Louisiana 70112, by close of business on the 30th day from the date of this letter.

You are also advised that any future violations of a similar nature may result in more severe disciplinary action taken by this office. A copy of this disciplinary letter will be retained in your personnel file.

Sincerely,


ANNE E. KIRKPATRICK
Superintendent of Police

cc: Superintendent's Office
Department of Civil Service
NOPD Personnel Office
NOPD Pension Board
Field Operations Bureau
Captain, First District
Public Integrity Bureau

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MAYOR

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DEPARTMENT OF POLICE

*715 South Broad Street
New Orleans, LA 70119*

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Anne E. Kirkpatrick
SUPERINTENDENT

November 15, 2024

[REDACTED]
Employee ID# 019761

RE: 2021-0645-R

[REDACTED]

Sgt. David Barnes, assigned to New Orleans Police Department's Public Integrity Bureau, was assigned to investigate a complaint against you. The complaint alleged you violated the following NOPD policies:

(V1) Rule 2: Moral Conduct; Paragraph 6: Unauthorized Force; and

(V2) Rule 4: Performance of Duty; Paragraph 4: Neglect of Duty C-6 (Failing to comply with instructions, oral or written, from any authoritative source) to wit NOPD Chapter 1.3.6 Reporting Use of Force, Paragraph 4.

On Thursday, November 11, 2021, NOPD Seventh District Night Watch officers responded to a call concerning a subject in mental crisis. The responding officers were provided an order of protection custody for the subject to have him psychologically evaluated at a treatment facility. While attempting to take the subject into protective custody inside of the residence, you climbed onto the back of a couch, placing your arms and hands on the subject's head.

You were observed via Body Worn Camera (BWC) footage placing the subject in a chokehold, by placing your arm around the neck area of the subject and using your other hand to apply pressure, attempting to gain control of the subject. You then pushed the subject face-first into the couch and appeared to straddle his back while holding him down. During the incident, several other responding officers attempted to persuade you to release the subject so he could be properly restrained, however you refused and yelled at the other officers.

The complainant discovered the unauthorized force and the non-reported serious use of force by you only after several of the other responding officers on scene informed her, they believed you choked the subject, as you failed to notify her. At the time of the incident, the subject was holding his hands up, pulling away from other officers who were attempting to restrain him. The subject did not appear to present a deadly threat to the officers or display any resistance above a minimal amount of resistance by pulling his hands away from officers. During the investigation you admitted you did not report the use of force to your supervisor because you believed they witnessed the force and were already aware of it.

During your administrative statement, you admitted to grabbing the subject's head and to placing an arm around his neck. You said you realized you should have not placed your arm around the subject's neck and moved it, pushing the subject's head into the couch. You also admitted you did not report your use of force to your supervisor, advising that you believed she had to have seen the incident and was aware of the force you used.

After all evidence was considered, Sgt. Barnes recommended the following dispositions:

(V1) Rule 2: Moral Conduct; Paragraph 6: Unauthorized Force SUSTAINED

(V2) Rule 4: Performance of Duty; Paragraph 4: Neglect of Duty C-6 (Failing to comply with instructions, oral or written, from any authoritative source) to wit NOPD Chapter 1.3.6 Reporting Use of Force, Paragraph 4 SUSTAINED

To afford you an opportunity to present facts in mitigation or to explain your actions, a Superintendent's Committee Disciplinary Hearing was held on October 27, 2022. The Committee consisted of Chief Deputy Lawrence Dupree, NOPD's Investigative Services Bureau, Deputy Chief Keith Sanchez, NOPD's Public Integrity Bureau, and Deputy Chief Christopher Goodly, NOPD's Field Operations Bureau. Chief Deputy Goodly chaired the hearing.

At the hearing, you stated you grabbed the subject around the neck and wanted the other responding officers to "just handcuff" the subject, and that you wanted to "control him via his neck". You also stated you were aware and acknowledge that the other responding officers advised you several times to release the subject. You admitted that the force you used was not that of any training or uses of force taught to you via the New Orleans Police Department Training Academy.

The Superintendent's Hearing Committee considered the totality of the information gathered and all relevant investigation and testimony provided during the hearing. Many factors were provided for consideration which were summarized via an Interoffice Memo.

During the hearing, the panel established [REDACTED] clearly knew the chokehold was an Unauthorized Use of Force and he intentionally violated the rules of the New Orleans Police Department as set forth hereinabove. The Body Worn Camera footage explicitly showed [REDACTED] placed his left arm around Mr. Allen's neck area, while he placed his right hand across Mr. Allen's face and applied pressure to gain control of Mr. Allen. The force used by [REDACTED] was unreasonable under the circumstances. Other officers on the scene reported that the force used by [REDACTED] was unnecessary at the time it was used, and only escalated the situation. The officers attempted to persuade [REDACTED] to release Mr. Allen so that he could be properly restrained, but [REDACTED] refused and shouted at the other officers. During the incident, as revealed by Body Worn Camera footage, [REDACTED] applied a lateral, vascular

neck restraint on Mr. Allen, who appeared to suffer slight effects consistent with having his air or blood flow restricted.”

After all testimony and evidence was considered, the Committee recommended the following dispositions and penalties:

(V1) Rule 2: Moral Conduct; Paragraph 6: Unauthorized Force -SUSTAINED/LEVEL F/1st OFFENSE/100 WORKING DAY SUSPENSION (105 Aggravated)

The Superintendent Committee recommended a greater penalty at Level F (1st Offense-60/80/D) as sated in the Disciplinary Matrix for **Rule 2: Moral Conduct; Paragraph 6: Unauthorized Force**. The Committee stated the following:

The panel determined ██████████ actions to be an egregious violation and should be aggravated up from a presumptive penalty of 80 days, to a one-hundred (100) day suspension based on the following factors:

(b) The nature and seriousness of the violation and its relationship to the employee's duties, position, and responsibilities;

(f) The effect of the violation upon management's confidence in the employee's future job performance;

(k) Whether the violation was intentional, inadvertent, or committed maliciously or for personal gain;

(l) Whether the violation was repeated, and how often;

- ██████████ used unjustifiable physical force by using a lateral vascular neck constraint (neck hold) against the subject, who responded to the hold by grunting, sounding hoarse, and was physically struggling with officers during the incident which required a level of pressure to be applied that likely restricted blood or airflow;
- The subject was not being arrested at time of his apprehension but was being taken into protective custody for a mental evaluation;
- The subject did not appear to be an immediate threat to himself, the officers, or others at the time he was taken into custody;
- Other officers on scene reported that the force used by ██████████ was unnecessary at the time it was used and escalated the situation;
- ██████████ was previous Sustained for the same violation of **Rule 2: Moral Conduct; Paragraph 6: Unauthorized Force**, on October 27, 2022.

These rules/chapters that you violated read as follows:

Rule 2: Moral Conduct; Paragraph 6: Unauthorized Force

Employees shall not use or direct unjustifiable physical abuse, violence, force or intimidation against any person.

You violated this rule when you used unjustifiable physical force by using a lateral vascular neck constraint (neck hold) against the subject.

(V2) Rule 4: Performance of Duty; Paragraph 4: Neglect of Duty C-6 (Failing to comply with instructions, oral or written, from any authoritative source) to wit NOPD Chapter 1.3.6 Reporting Use of Force, Paragraph 4-SUSTAINED/LEVEL B/1st OFFENSE/LETTER OF REPRIMAND.

These rules/chapters you violated read as follows:

Rule 4: Performance of Duty; Paragraph 4: Neglect of Duty C-6 (Failing to comply with instructions, oral or written, from any authoritative source) to wit NOPD Chapter 1.3.6 Reporting Use of Force, Paragraph 4

Officers who use force or observe the use of force shall notify their supervisors immediately following any use-of-force incident. Officers shall notify their supervisors upon receipt of an allegation of unreasonable or unreported use of force by an officer. Officers who observe force and fail to report it shall be subject to disciplinary action, up to and including termination.

You violated this rule when you did not ensure the force used against the subject had been reported to your supervisors.

Moreover, your conduct is contrary to the standards as prescribed by Civil Service Rule IX, Section I., paragraph I.1, of the Rules of the Civil Service Commission for the City of New Orleans. Civil Service Rule IX, paragraph 1.1 on maintaining standards of service provides as follows:

When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner, or has committed any act to the prejudice of the service, or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following: (a) termination from the service; (b) involuntary retirement; (c) reduction in pay within the pay grade for the employee's classification; (d) demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill; (e)

[REDACTED]
2021-0645-R

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suspension without pay not exceeding one hundred twenty (120) calendar days; (f) fine; and (g) letters of reprimand.

I approve the dispositions and penalties recommended by the Superintendent Committee Disciplinary Hearing Panel.

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified of the **SUSTAINED** violation of **Rule 2: Moral Conduct, Paragraph 6: Unauthorized Force**. Your penalty for this violation is **100 WORKING DAY SUSPENSION**. However, pursuant to Civil Service Rule IX, Sect. 1.1, you will serve the maximum allowed suspension of **120 CALENDAR DAYS**.

Additionally, you are hereby notified of the **SUSTAINED** violation of **Rule 4: Performance of Duty; Paragraph 4: Neglect of Duty C-6 (Failing to comply with instructions, oral or written, from any authoritative source) to wit NOPD Chapter 1.3.6 Reporting Use of Force, Paragraph 4**. Your penalty for this violation is a **LETTER OF REPRIMAND**.

This will serve as your official **SUSPENSION LETTER, AND LETTER OF REPRIMAND**.

Your **120 CALENDAR DAY** suspension is effective the week of **SUNDAY, DECEMBER 1, 2024**. The actual starting day of your suspension **during that week** is at the discretion of your Captain. **This Suspension is to run without interruption and AWP days are not counted as Suspension Days. During the entire two week pay cycles where you have served suspension days, you must be carried for the entire two week pay cycle on an 8:35 hour work schedule.**

You are advised that you may have a right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Any such appeal must be in writing and received in the Civil Service Department, located at 1340 Poydras, Suite 900, New Orleans, La 70112, by close of business on the 30th day from the date of this letter.

You are also advised that any further violations of a similar nature may result in more severe disciplinary action taken by this office. A copy of this disciplinary letter will be retained in your personnel file.

Sincerely,

[REDACTED]
Anne E. Kirkpatrick
Superintendent of Police


2021-0645-R

Page 6 of 6

cc: Superintendent's Office
Department of City Civil Service
NOPD Personnel Office
Pension Board
Field Operations Bureau
Captain, 7th District
Public Integrity Bureau

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LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

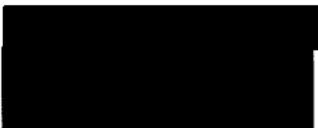
*715 South Broad Street
New Orleans, LA 70119*

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Anne E. Kirkpatrick
SUPERINTENDENT

December 12, 2024



RE: PIB Complaint Tracking Number: 2024-0136-R
Employee ID # 021674



On Wednesday, March 20, 2024, Sergeant Aiyana Francis, assigned to the Public Integrity Bureau's Administrative Section, received an investigation initiated against you. You were accused of violating the following Rule/Chapters:

V-1: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: N.O.P.D. Chapter 13.38, Nepotism and Employment Conflicts, Paragraph 1, Restricted Duties and Assignments.

V-2: Rule 4, Performance of Duty, Paragraph 7, Leaving City on Duty.

V-3: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: N.O.P.D. Chapter 13.21, Alcohol and Drug Use/Testing, Paragraph 9, Member Restrictions and Requirements.

An internally generated complaint was filed against you on Wednesday, March 6, 2024. The complainant stated she received a phone call from a female and learned you were cheating. The complainant stated she attempted to end contact with you; however, after receiving several phone calls, you advised the complainant that if she did not talk to you now, you would make her talk to you at work. The complainant also stated you were her direct supervisor until you moved to a different unit within the same district.

The complainant stated the relationship was an on-again, off-again relationship until the

"an equal opportunity employer"

complainant found out you were cheating. The complainant also stated the female she spoke to advised she helped you inject steroid shots. The complainant stated you would meet up either at her residence in Slidell or your residence in Harahan while you were on duty.

Sergeant Aiyana Francis began her investigation by reviewing the initial complaint and statements provided. Sergeant Francis obtained your statement in which you admitted you and the complainant had been in an intimate relationship from August 2023, to early March 2024. You advised you did not hold a direct supervisory role over the complainant during the time period of your relationship. Upon questioning, you advised you could not recall whether you had ventured beyond city limits while on duty to visit the complainant. You also stated you never used steroids for either medical or personal purposes.

During her investigation, Sergeant Aiyana Francis learned you were the complainant’s supervisor in the beginning of August 2023 which corroborated the allegation from the complainant. Sergeant Francies advised she could not prove or disprove that you left the city while on duty as your vehicle did not have a GPS tracking system and your radio was not registered in the CAD system. Sgt. Francis was also unable to determine if you used steroids that were not prescribed to you by a licensed medical practitioner.

Based on her investigation and a preponderance of evidence, Sergeant Aiyana Francies recommended the following dispositions:

V-1: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 13.38, Nepotism and Employment Conflicts, Paragraph 1, Restricted Duties and Assignments SUSTAINED.

V-2: Rule 4, Performance of Duty, Paragraph 7, Leaving City on Duty NOT SUSTAINED.

V-3: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 13.21, Alcohol and Drug Use/Testing, Paragraph 9, Member Restrictions and Requirements NOT SUSTAINED.

To afford you the opportunity to present facts in mitigation or to explain your actions, a Captain’s panel hearing was held on Thursday, October 10, 2024, by Captain Jennifer Dupree, assigned to the Fifth District, Captain Precious Banks, assigned to the Public Integrity Bureau, and Captain Kevin Stamp, assigned to the Management Services Bureau. After all evidence and testimony was examined, the Captain’s panel recommended the following disposition and discipline for the alleged sustained violation as follows:

V-1: Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: NOPD Chapter 13.38, Nepotism and Employment Conflicts, Paragraph 1, Restricted Duties and Assignments SUSTAINED / LEVEL B / 1st Offense / ONE (1) DAY SUSPENSION.

The Rule/Chapter reads as follows:

RULE 4, PERFORMANCE OF DUTY PARAGRAPH 4, NELGECT OF DUTY

- c. The following acts or omissions to act, although not exhaustive, are considered neglect of duty:
 - 6. Failing to comply with instructions, oral or written, from any authoritative source.

NOPD CHAPTER 13.38 NEPOTISM AND EMPLOYMENT CONFLICTS

RESTRICTED DUTIES AND ASSIGNMENTS

- 1. While the Department will not prohibit personal or business relationships between members, employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.

You violated the Rule/Chapter when you became involved in a personal relationship with an employee while occupying a position in the line of supervision.

Moreover, your conduct is contrary to the standards as prescribed by Civil Service Rule IX, Section 1, paragraph 1.1, which provides as follows:

When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner or has committed any act to the prejudice of the service or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following: (a) termination from the service; (b) involuntary retirement; (c) reduction in pay within the pay grade for the employee's classification; (d) demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill; (e) suspension without pay not exceeding one hundred twenty (120) calendar days; (f) a fine; and (g) letters of reprimand.

I approve of the disposition and penalty recommended by Captain Jennifer Dupree, Captain Precious Banks and Captain Kevin Stamp.

Therefore, in light of the above investigation, a review of any disciplinary records, and due to the nature of your violations, you are hereby notified of the **SUSTAINED** violation of **Rule 4, Performance of Duty, Paragraph 4, Neglect of Duty, C-6, to wit: N.O.P.D. Chapter 13.38, Nepotism and Employment Conflicts, Paragraph 1, Restricted Duties and Assignments.** Your penalty for this violation is a **ONE (1) DAY SUSPENSION.**

This will serve as your official **LETTER OF SUSPENSION.**

Your **ONE (1) Day Suspension** is effective the week of **JANUARY 6, 2024.** The actual starting day of your One (1) Day Suspension **during that week** is at the discretion of your Captain. **This suspension is to run without interruption and AWP days are not counted as Suspension Days. During the entire two-week pay cycles where you have served your suspension day(s), you must be carried for the entire two-week pay cycle on an 8:35 hour work week.**

You are advised that you may have the right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Any such appeal must be in writing and received by the Civil Service Department, located at 1340 Poydras Street, Suite 900, New Orleans, Louisiana 70112, by close of business on the 30th day from the date of this letter.

You are also advised that any future violations of a similar nature may result in more severe disciplinary action taken by this office. A copy of this disciplinary letter will be retained in your personnel file.

Sincerely,



ANNE E. KIRKPATRICK
Superintendent of Police

cc: Superintendent's Office
Department of Civil Service
NOPD Personnel Office
NOPD Pension Board
Field Operations Bureau
Captain, Fifth District
Public Integrity Bureau



LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

*715 South Broad Street
New Orleans, LA 70119*

"to protect and to serve"



Anne E. Kirkpatrick
SUPERINTENDENT

December 12, 2024



RE: PIB Complaint Tracking Number: 2024-0085-R
Employee ID # 022630



On Tuesday, February 27, 2024, Sergeant Candace Preston, assigned to the Public Integrity Bureau's Criminal Section, received an investigation initiated against you. You were accused of violating the following Rule/State Traffic Laws:

V-1: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: La. R.S. 14:100, Relative to Hit & Run.

V-2: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: La. R.S. 47:508, Relative to Expired License Plate.

An internally generated complaint was filed against you on February 12, 2024. The complainant stated that while conducting a follow-up investigation regarding a Hit & Run incident which occurred on November 1, 2023, he learned you were the driver of the vehicle that fled the scene.

Sergeant Candace Preston began her investigation by reviewing the initial complaint from which she learned that on November 1, 2023, the Traffic Division investigated a Hit & Run incident that occurred at I-10 West near Crowder Boulevard. The Traffic Division investigator was provided with the license plate number, a description of the driver and a description of the fleeing vehicle. Sergeant Preston also learned that on Wednesday, January 24, 2024, Police Officer Vaughn Valeary, assigned to the Hit & Run unit, conducted a follow-up investigation.

During the follow-up investigation it was learned that the victim was travelling southbound on I-10 when her vehicle was struck on the rear passenger side by another vehicle that fled the location.

"an equal opportunity employer"

Officer Valeary also learned the vehicle was registered to you. On Monday, February 5, 2024, you replied to Officer Valeary's letter of advisement regarding the Hit & Run investigation. Sergeant Preston learned that Officer Valeary questioned you regarding the Hit & Run incident to which you replied you were the only person that would have access to the vehicle in question and you did not remember being involved in a crash on Wednesday, November 1, 2024.

On Wednesday, February 7, 2024, you provided Officer Valeary with pictures of your vehicle and advised him that the damage to the vehicle was from a previous Hit & Run. Officer Valeary also learned the license plate on your vehicle was new, and the Vehicle Identification Number matched the license plate number provided during the Hit & Run. Officer Valeary stated you advised him you obtained a new license plate on February 7, 2024, after being notified about the Hit & Run, because it was cheaper than paying fees accumulated from the previous plate.

Sergeant Candace Preston also learned that on the day of the Hit & Run, you were assigned to the Municipal Training Academy on Paris Avenue for In-Service training. You admitted that because you were assigned to the MTA, you would have been travelling in the same direction as the Hit & Run driver. Officer Valeary submitted an internal investigation with the Public Integrity Bureau.

On February 27, 2024, you were instructed to relocate to the Public Integrity Bureau regarding the Hit & Run incident. In lieu of a physical arrest for the traffic violations discovered during the Hit & Run crash investigation, you were issued a traffic citation for the following:

154-240, Relative to Driving on a roadway landed for traffic, Improper Lane Usage

154-307, Relative to License Plates

154-308, Relative to Registration Required.

After the traffic court proceedings were concluded, Sergeant Candace Preston began her administrative investigation.

On Thursday, July 11, 2024, Sergeant Candace Preston obtained your administrative statement. During your statement you advised Sergeant Preston you did not recall being involved in an accident on Wednesday, November 1, 2023. You also stated you were not flagged down by anyone. You stated you were scheduled for In-Service training that day at the Municipal Training Facility located on Paris Avenue. You stated you were notified your vehicle was alleged to have been involved in a hit & run incident and provided the investigating officer, Police Officer Vaughn Valeary, with a statement.

You told Sergeant Preston you obtained a new registration and license plate before being notified of the alleged Hit & Run incident. You stated that upon attempting to obtain a vehicle inspection

sticker, you were declined because your license plate had expired. You obtained a new registration by surrendering your old license plate as it was less expensive than to renew the old vehicle registration.

After the conclusion of your statement, Sergeant Candace Preston received a document from your attorney showing payments were made to the collision center and rental agency for the Hit & Run incident that occurred on Wednesday, November 1, 2023. Upon contacting the insurance company, Sergeant Preston learned that you were the insured client and was found to be at fault based on their investigation.

Based on her investigation and a preponderance of evidence, Sergeant Candace Preston recommended the following dispositions:

V-1: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: La. R.S. 14:100, Relative to Hit & Run UNFOUNDED.

V-2: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: La. R.S. 47:508, Relative to Expired License Plate UNFOUNDED.

Sergeant Candace Preston recommended the following additional Sustained violations:

V-3: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: New Orleans Municipal Traffic Code Sec. 154-240, Relative to driving on a roadway laned for traffic; improper lane usage SUSTAINED.

V-4: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: New Orleans Municipal Traffic Code Sec. 154-307, Relative to License Plates SUSTAINED.

V-5: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: New Orleans Municipal Traffic Code Sec. 154-308, Relative to Registration Required SUSTAINED.

To afford you the opportunity to present facts in mitigation or to explain your actions, a Bureau Chiefs hearing was held on Thursday, November 14, 2024, by Deputy Superintendent Jonette Williams, assigned to the Management Services Bureau; Deputy Superintendent Keith Sanchez, assigned to the Public Integrity Bureau; and Deputy Superintendent Ryan Lubrano, assigned to the Investigation and Support Bureau. After all evidence and testimony was examined, the Bureau Chiefs recommended the following dispositions and discipline for the alleged violations of:

V-1: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: La. R.S. 14:100, Relative to Hit & Run UNFOUNDED / NO PENALTY.

V-2: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: La. R.S. 47:508, Relative to Expired License Plate UNFOUNDED / NO PENALTY.

V-3: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: New Orleans Municipal Traffic Code Sec. 154-240, Relative to driving on a roadway laned for traffic; improper lane usage . . . SUSTAINED / LEVEL A / 1st Offense / LETTER OF REPRIMAND.

V-4: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: New Orleans Municipal Traffic Code Sec. 154-307, Relative to License Plates SUSTAINED. / LEVEL A / 1st Offense / LETTER OF REPRIMAND.

V-5: Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: New Orleans Municipal Traffic Code Sec. 154-308, Relative to Registration RequiredSUSTAINED / LEVEL A / 1st Offense / LETTER OF REPRIMAND.

The Rule/Municipal Traffic Violations read as follows:

RULE 2, MORAL CONDUCT PARAGRAPH 1, ADHERENCE TO LAW

Employees shall act in accordance with the constitutions, statutes, ordinances, administrative regulations, and the official interpretations thereof, of the United States, the State of Louisiana, and the City of New Orleans, but when in another jurisdiction shall obey the applicable laws. Neither ignorance of the law, its interpretations, nor failure to be physically arrested and charged, shall be regarded as a valid defense against the requirements to this rule.

NEW ORLEANS MUNICIPAL TRAFFIC CODE

Sec. 154-240, Driving on roadway laned for traffic.

Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

- (1) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

- (2) The city may erect signs directing slow moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction, and drivers of vehicles shall obey the directions of such signs.

You violated this Rule/Municipal Code when you were observed by the victim not slowing down for traffic, struck her vehicle then changed lanes and left the scene. Your insurance agency also determined you to be at fault.

RULE 2, MORAL CONDUCT PARAGRAPH 1, ADHERENCE TO LAW

Employees shall act in accordance with the constitutions, statutes, ordinances, administrative regulations, and the official interpretations thereof, of the United States, the State of Louisiana, and the City of New Orleans, but when in another jurisdiction shall obey the applicable laws. Neither ignorance of the law, its interpretations, nor failure to be physically arrested and charged, shall be regarded as a valid defense against the requirements to this rule

NEW ORLEANS MUNICIPAL TRAFFIC CODE

Sec. 154-307, License Plates

- (a) Every person who is a resident of the state and owns a motor vehicle of any description must first obtain an appropriate, current, valid license plate from the state before driving his motor vehicle upon any public streets of the city, except that a 20-day temporary registration marker may be used for new cars when lawfully issued by a dealer.
- (b) No vehicle shall be driven on the streets of this city with any vehicle license plate which is mutilated, defaced, damaged, or obscured in such a manner as to make the letters and numerals thereon illegible.
- (c) A license plate shall be placed and positioned to be clearly visible and securely fastened. At night, the plate must be so illuminated as to be visible from a distance of 50 feet.
- (d) It shall further be a violation of this section for any person to operate upon the streets of the city a motor vehicle not bearing a current license plate from this state or from the state where the owner resides, if he is a nonresident.

- (e) Owners of self-propelled motor cranes and similar equipment used exclusively for heavy construction by the building and utility industries in off-road construction are exempt from the foregoing provisions of this section.
- (f) Owners of vehicles who are on active duty with the armed forces of the United States and any owner of a vehicle who is a dependent of such a person are exempt from the foregoing provisions of this section provided the vehicle has a valid license plate and valid registration documents from a foreign state. This shall not exempt any such person from complying with the applicable laws requiring a valid brake and safety inspection sticker.

You violated the Rule/Municipal Code when it was learned that at the time of the crash your license plate was expired. Upon notification of the hit & run, you updated your registration and obtained a new license plate.

RULE 2, MORAL CONDUCT PARAGRAPH 1, ADHERENCE TO LAW

Employees shall act in accordance with the constitutions, statutes, ordinances, administrative regulations, and the official interpretations thereof, of the United States, the State of Louisiana, and the City of New Orleans, but when in another jurisdiction shall obey the applicable laws. Neither ignorance of the law, its interpretations, nor failure to be physically arrested and charged, shall be regarded as a valid defense against the requirements to this rule

NEW ORLEANS MUNICIPAL TRAFFIC CODE

Sec. 154, 308, Registration Required

Every owner of a motor vehicle who is a resident of the state and whose vehicle is subject to registration under state law shall make application to the state motor vehicle registration division for a registration certificate.

You violated the Rule/Municipal Code when it was learned at the time of the Hit & Run incident, your registration was expired.

Moreover, your conduct is contrary to the standards as prescribed by Civil Service Rule IX, Section 1, paragraph 1.1, which provides as follows:

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When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner or has committed any act to the prejudice of the service or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following: (a) termination from the service; (b) involuntary retirement; (c) reduction in pay within the pay grade for the employee's classification; (d) demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill; (e) suspension without pay not exceeding one hundred twenty (120) days; (f) a fine; and (g) letters of reprimand.

I approve of the dispositions and penalties recommended by Deputy Superintendent Jonette Williams, Deputy Superintendent Keith Sanchez and Deputy Superintendent Ryan Lubrano.

Therefore, in light of the above investigation, a review of any disciplinary records, and due to the nature of your violations, you are hereby notified of the **SUSTAINED** violation of **Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: New Orleans Municipal Traffic Code Sec. 154-240, Relative to driving on a roadway laned for traffic; improper lane usage**, your penalty for this violation is a **LETTER OF REPRIMAND**.

Additionally, you are hereby notified of the **SUSTAINED** violation of **Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: New Orleans Municipal Traffic Code Sec. 154-307, Relative to License Plates**, your penalty for this violation is a **LETTER OF REPRIMAND**.

Additionally, you are hereby notified of the **SUSTAINED** violation of **Rule 2, Moral Conduct, Paragraph 1, Adherence to Law, to wit: New Orleans Municipal Traffic Code Sec. 154-308, Relative to Registration Required**, your penalty for this violation is a **LETTER OF REPRIMAND**.

This will serve as your official **LETTER OF REPRIMAND**.

You are advised that you may have the right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Any such appeal must be in writing and received by the Civil Service Department, located at 1340 Poydras Street, Suite 900, New Orleans, Louisiana 70112, by close of business on the 30th day from the date of this letter. Any future violations of a similar nature may result in more severe disciplinary action. A copy of this disciplinary letter will be retained in your personnel file.

Sincerely,


ANNE E. KIRKPATRICK
Superintendent of Police

2024-0085-R

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cc: Superintendent's Office
Department of Civil Service
NOPD Personnel Office
NOPD Pension Board
Management Services Bureau
Captain, Administrative Duties Division
Investigations and Support Bureau
Captain, Crime Lab
Public Integrity Bureau