



CITY OF NEW ORLEANS  
LAW DEPARTMENT  
1300 PERDIDO STREET, 5<sup>TH</sup> FLOOR EAST  
NEW ORLEANS, LOUISIANA 70112  
TELEPHONE: (504) 658-9800  
TELECOPIER: (504) 658-9868

MITCHELL J. LANDRIEU  
MAYOR

April 27, 2011

NANNETTE JOLIVETTE BROWN  
CITY ATTORNEY

Mr. Matt Davis, Reporter  
*The Lens*  
1025 S. Jeff Davis Parkway  
New Orleans, LA 70125

Via Electronic Mail  
matthewcharlesdavis@gmail.com

Re: Public Records Act Request

Dear Mr. Davis:

Our office is in receipt of your Public Records Act request, dated December 1, 2010, in which you requested from the New Orleans Police Department (NOPD) the last month's police disciplinary records, and which was subsequently updated on February 2, 2011, in which you requested recently-closed PIB files for the last three months.

Please be advised that the NOPD has provided disciplinary reports for a month for your review. The NOPD has further advised that records of recently-closed PIB files for the last three months are being compiled and will be made available for your review. Please contact Sarah Garrett at [sagarrett@nola.gov](mailto:sagarrett@nola.gov) to schedule a time to review the available records.

Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dawn E. Segura".

Dawn E. Segura  
Chief Deputy City Attorney



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Brett Graybil  
[REDACTED]  
Eighth District  
New Orleans Police Department

RE: P.I.B. Case # 10-0986R

Officer Graybil,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding New Orleans Operations Manual; Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Lieutenant Derek Frick, assigned to the Eighth District.

This investigation determined that on Wednesday, June 30, 2010, at about 9:30a.m., Lieutenant Arden Taylor, of the Office of Compliance, was notified by Assistance District Attorney Stephen Collins of Criminal District Court, Section "A" who reported that you failed to appear in Section "A", under case number 496-376. Documentation supports that you received the electronic subpoena via email "Court Notify" and acknowledged your date to attend court. Lastly, you failed to contact CDC, Section "A" to inform the Judge of your inability to attend the required court hearing. As such, you violated Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit Chapter 74.3 Mandatory Tribunal Attendance.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Edwin C. Hosli, the Commander of Eighth District, on Tuesday, November 16, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.



Captain Hosli has recommended a sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source, to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance and further recommended that you receive a one (1) working day suspension, Category 1.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1.

This Rule reads as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

##### **Applicable Chapter:**

##### **Chapter 74.3 relative to Mandatory Tribunal Attendance**

1. Attendance at any City, State, Federal, or Civil Court and any Administrative Hearing shall be mandatory under the following conditions:
  - a. under subpoena or order of Instanta,
  - b. upon notification via department teletype,
  - c. under orders of a ranking officer or an employee of the Court,
  - d. upon receipt of a written or verbal notice from the City Attorney's or District Attorney's offices.

5. Employees who have been served with a subpoena and for a valid reason cannot appear shall contact the appropriate court section and inform the Judge of their inability to attend.
6. Employees who fail to comply with policies established in this Chapter after having been properly notified shall be subject to disciplinary action.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.

(6) fine.

(as amended June 10, 1982, effective June 10, 1982)



Graybil  
P.I.B. #10-0986R  
Page 4 of 4

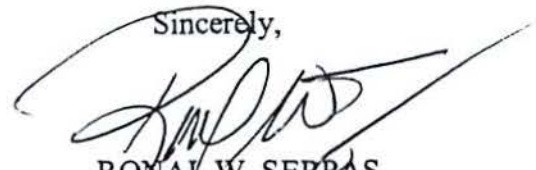
Additionally, I approve the penalty recommended by Captain Hosli. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1, you are **suspended** from the New Orleans Police Department for **one (1) working day**, effective the week of **Sunday, March 27, 2011**. The actual starting date of your suspension during that week is at the discretion of your Commander.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that if you are suspended, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Eighth District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Sergeant James Young  
[REDACTED]

Sixth District  
New Orleans Police Department

RE: P.I.B. Case # 2010-0528R

Sergeant Young,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding Rule 3: Professional Conduct, paragraph 1, Professionalism, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Sergeant Lesia Latham Mims, assigned to the Public Integrity Bureau.

This investigation determined that on Thursday, April 15, 2010, at about 11:00p.m, while at the location of Jackson Avenue and South Claiborne Avenue, you allowed an arrested female to exit a police vehicle and you assisted her in urinating outside in public view alongside a police vehicle. During the incident the female hands were handcuffed behind her back and she lost balance and fell down. As you assisted in picking her up and assisted in pulling up her underwear you touched her and her underwear in an appropriate manner. This caused the citizen to feel she was treated indecently. You failed to request a female police officer to assist the female and the female was not escorted to a restroom. As such, your actions brought discredit to you as a member of the New Orleans Police Department and the Department which is a violation of Rule 3: Professional Conduct, paragraph 1, Professionalism.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Robert R. Bardy, Commander of the Sixth District, on Thursday, October 28, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.



Captain Bardy has recommended the following disposition and penalty for the sustained violation of Rule 3: Professional Conduct, paragraph 1, Professionalism: Sustained, Letter of Reprimand.

Assistant Superintendent Marlon A. Defillo, of the Field Operations Bureau, received and reviewed the Hearings Disposition form submitted by Captain Bardy, and did not concur that the recommended penalty for violation of Rule 3: Professional Conduct, paragraph 1, Professionalism, should only have a penalty of a Letter of Reprimand. Assistant Superintendent Defillo, submitted an Interoffice Correspondence coversheet dated November 29, 2010, that recommended that you are disciplined with a two (2) working days suspension for the sustained violation of Rule 3: Professional Conduct, paragraph 1, Professionalism.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 3: Professional Conduct, paragraph 1, Professionalism. This Rule reads as follows:

### **RULE 3 PROFESSIONAL CONDUCT**

#### **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.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.

- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)

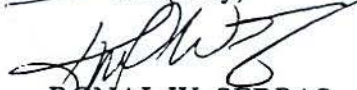
Additionally, I approve the penalty recommended by Assistant Superintendent Defillo. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified that for the **sustained** violation of Rule 3: Professional Conduct, paragraph 1, Professionalism, you are **suspended** from the New Orleans Police Department for **two (2) working days**, effective the week of **Sunday, March 27, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Sixth District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERP  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Kevin Doucette  
[REDACTED]

Seventh District  
New Orleans Police Department

RE: P.I.B. Case # 2009-1244R

Officer Doucette,

An administrative investigative report alleging violation of a Departmental Rule and/or Procedure, regarding New Orleans Police Department Operations Manual; Rule 3: Professional Conduct, paragraph 1 - Professionalism, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Lieutenant Errol Foy, assigned to the Public Integrity Bureau.

This investigation determined that on Thursday, November 5, 2009, NOPD learned that Jefferson Parish issued a traffic attachment for your arrest. You received a moving citation from Jefferson Parish Sheriff's Office for Speeding and Reckless Operation of a vehicle on July 3, 2008 and failed to appear in court. On Friday, November 6, 2009, you were physically arrested by members of the NOPD, Public Integrity Bureau. On January 22, 2010, the charges were dismissed in lieu of you pleading to a non-moving violation. In your administrative statement you admitted to being aware of the pending court date and failing to handle your legal matter in a responsible and timely manner. As a result, your actions caused embarrassment and discredit to the Department and yourself as a member of the New Orleans Police Department. You were placed on emergency suspension from November 9, 2009 to November 11, 2009, because of your actions. The investigation determined that you violated Rule 3: Professional Conduct, paragraph 1 - Professionalism.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Deputy Superintendent Marlon A. Defillo, of the Operations Bureau, on Wednesday, July 7, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outline.

Deputy Superintendent Defillo has recommended the following disposition and penalty for the sustained violation.

Rule 3: Professional Conduct, paragraph 1 – Professionalism: Sustained, two (2) days suspension, credit for time served during an emergency suspension.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 3: Professional Conduct, paragraph 1 – Professionalism.

This Rule reads as follows:

### **RULE 3 PROFESSIONAL CONDUCT**

#### **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.

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:



- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

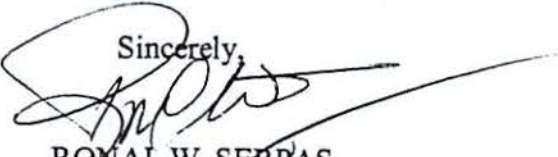
(as amended June 10, 1982, effective June 10, 1982)

Additionally, I approve the penalty recommended by Deputy Superintendent Defillo. 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 that for the **sustained** violation of Rule 3: Professional Conduct, paragraph 1 – Professionalism, you **suspended** from the New Orleans Police Department for **two (2) working days**, however, you are granted credit for time served during the three (3) days emergency suspension period you served on November 9, 2009 to November 11, 2009.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Doucette  
P.I.B. #09-1244C  
Page 4 of 4

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Seventh District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Billy Tregle  
[REDACTED]

Eighth District  
New Orleans Police Department

RE: P.I.B. Case # 10-0823R

Officer Tregle,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding New Orleans Operations Manual; Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Lieutenant Derek Frick, assigned to the Eighth District.

This investigation determined that on Thursday, June 10, 2010, at about 9:30a.m., Lieutenant Arden Taylor, of the Office of Compliance, was contacted by Assistance District Attorney Blair Berthelot of Criminal District Court, Section "A" who reported that you failed to appear in Section "A", under case number 483-271. Documentation supports that you received the electronic subpoena via email "Court Notify" and acknowledged your date to attend court. Lastly, you failed to contact CDC, Section "A" to inform the Judge of your inability to attend the required court hearing. As such, you violated Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit Chapter 74.3 Mandatory Tribunal Attendance.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Edwin C. Hosli, the Commander of Eighth District, on Tuesday, November 16, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Hosli has recommended a sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source, to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance and further recommended that you receive a one (1) working day suspension, Category 1.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1.

This Rule reads as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

##### **Applicable Chapter:**

##### **Chapter 74.3 relative to Mandatory Tribunal Attendance**

1. Attendance at any City, State, Federal, or Civil Court and any Administrative Hearing shall be mandatory under the following conditions:
  - a. under subpoena or order of Instanta,
  - b. upon notification via department teletype,
  - c. under orders of a ranking officer or an employee of the Court,
  - d. upon receipt of a written or verbal notice from the City Attorney's or District Attorney's offices.



5. Employees who have been served with a subpoena and for a valid reason cannot appear shall contact the appropriate court section and inform the Judge of their inability to attend.
6. Employees who fail to comply with policies established in this Chapter after having been properly notified shall be subject to disciplinary action.

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:

- (1) removal from the service.
  - (2) involuntary retirement.
  - (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
  - (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
  - (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
  - (6) fine.
- (as amended June 10, 1982, effective June 10, 1982)

Tregle  
P.I.B. #10-0823R  
Page 4 of 4

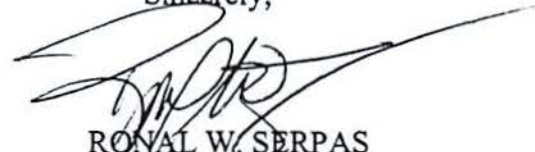
Additionally, I approve the penalty recommended by Captain Hosli. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1, you are **suspended** from the New Orleans Police Department for **one (1) working day**, effective the week of **Sunday, March 27, 2011**. The actual starting date of your suspension during that week is at the discretion of your Commander.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that if you are suspended, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag  
cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Eighth District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*




RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Derrick Bilbo

  
Eighth District  
New Orleans Police Department

RE: P.I.B. Case # 10-0967R

Officer Bilbo,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding New Orleans Operations Manual; Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Lieutenant Derek Frick, assigned to the Eighth District.

This investigation determined that on Monday, June 21, 2010, at about 4:00p.m., Lieutenant Arden Taylor, of the Office of Compliance, was notified by Assistance District Attorney Matthew McClaren of Criminal District Court, Section "M-2" who reported that you failed to appear in Section "M-2", under case number 490-711. Documentation supports that you received the electronic subpoena via email "Court Notify" and acknowledged your date to attend court. Lastly, you failed to contact CDC, Section "M-2" to inform the Judge of your inability to attend the required court hearing. As such, you violated Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit Chapter 74.3 Mandatory Tribunal Attendance.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Edwin C. Hosli, the Commander of Eighth District, on Thursday, December 9, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Hosli has recommended a sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source, to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance and further recommended that you receive a one (1) working day suspension, Category 1.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1.

This Rule reads as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

#### **Applicable Chapter:**

##### **Chapter 74.3 relative to Mandatory Tribunal Attendance**

1. Attendance at any City, State, Federal, or Civil Court and any Administrative Hearing shall be mandatory under the following conditions:
  - a. under subpoena or order of Instanta,
  - b. upon notification via department teletype,
  - c. under orders of a ranking officer or an employee of the Court,
  - d. upon receipt of a written or verbal notice from the City Attorney's or District Attorney's offices.



Bilbo

P.I.B. #10-0967R

Page 3 of 4

5. Employees who have been served with a subpoena and for a valid reason cannot appear shall contact the appropriate court section and inform the Judge of their inability to attend.
6. Employees who fail to comply with policies established in this Chapter after having been properly notified shall be subject to disciplinary action.

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:

- (1) removal from the service.
  - (2) involuntary retirement.
  - (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
  - (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
  - (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
  - (6) fine.
- (as amended June 10, 1982, effective June 10, 1982)

Bilbo  
P.I.B. #10-0967R  
Page 4 of 4

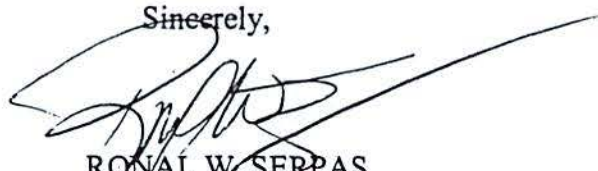
Additionally, I approve the penalty recommended by Captain Hosli. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1, you are **suspended** from the New Orleans Police Department for **one (1) working day**, effective the week of **Sunday, March 27, 2011**. The actual starting date of your suspension during that week is at the discretion of your Commander.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that if you are suspended, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag  
cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Eighth District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Brian Frank  
SS# [REDACTED]  
First District  
New Orleans Police Department

RE: P.I.B. Case # 10-1359R

Officer Frank,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding New Orleans Operations Manual; Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Ashish Shah, assigned to the First District.

This investigation determined that on Wednesday, October 6, 2010, at about 4:00p.m., Lieutenant Arden Taylor, of the Office of Compliance, was notified by Assistance District Attorney Shirley Tubbs of Criminal District Court, Section "M-4" who reported that you failed to appear in Section "M-4", under case number 496-919 on Wednesday, October 6, 2010, at 3:00p.m. Documentation supports that you received the electronic subpoena via email "Court Notify" and acknowledged your date to attend court. Lastly, you failed to contact CDC, Section "M-4" to inform the Judge of your inability to attend the required court hearing. As such, you violated Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit Chapter 74.3 Mandatory Tribunal Attendance.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Robert E. Norton, the Commander of First District, on Monday, December 27, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Frank  
P.I.B. #10-1359R  
Page 2 of 4

Captain Norton has recommended a sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source, to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance and further recommended that you receive a one (1) working day suspension, Category 1.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1.

This Rule reads as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

#### **Applicable Chapter:**

##### **Chapter 74.3 relative to Mandatory Tribunal Attendance**

1. Attendance at any City, State, Federal, or Civil Court and any Administrative Hearing shall be mandatory under the following conditions:
  - a. under subpoena or order of Instanta,
  - b. upon notification via department teletype,
  - c. under orders of a ranking officer or an employee of the Court,
  - d. upon receipt of a written or verbal notice from the City Attorney's or District Attorney's offices.



5. Employees who have been served with a subpoena and for a valid reason cannot appear shall contact the appropriate court section and inform the Judge of their inability to attend.
6. Employees who fail to comply with policies established in this Chapter after having been properly notified shall be subject to disciplinary action.

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:

- (1) removal from the service.
  - (2) involuntary retirement.
  - (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
  - (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
  - (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
  - (6) fine.
- (as amended June 10, 1982, effective June 10, 1982)

Frank  
P.I.B. #10-1359R  
Page 4 of 4

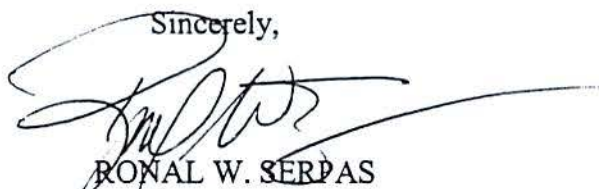
Additionally, I approve the penalty recommended by Captain Norton. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1, you are **suspended** from the New Orleans Police Department for **one (1) working day**, effective the week of **Sunday, March 27, 2011**. The actual starting date of your suspension during that week is at the discretion of your Commander.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that if you are suspended, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, First District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Michael Franklin  
SS# [REDACTED]  
Eighth District  
New Orleans Police Department

RE: P.I.B. Case # 2010-0683C

Officer Franklin,

An administrative investigative report alleging violations of Departmental Rules and/or Procedure, regarding New Orleans Police Department Operations Manual, Rule 2: Moral Conduct, paragraph 2, Courtesy; Rule 2: Moral Conduct, paragraph 3, Truthfulness and Rule 3: Professional Conduct, paragraph 1, Professionalism, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Andre'LeBlanc, assigned to the Public Integrity Bureau.

The investigation determined that on Sunday, May 16, 2010, at approximately 9:30a.m., while off duty and driving your personal vehicle, with a NOPD placard and blue light on your dashboard, you became involved in a verbal altercation with a citizen. During the incident you identified yourself as a New Orleans Police Officer and told the citizen, "I don't give a fuck". You admitted that you told the citizen, "I really don't care," multiple times. As such, you violated Rule 2: Moral Conduct, paragraph 2, Courtesy. Additionally, your conduct caused embarrassment and discredit to yourself and the New Orleans Police Department. You did not conduct yourself in a manner equal to the standards established in Departmental policy regarding Rule 3: Professional Conduct, paragraph 1, Professionalism

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Deputy Superintendent Marlon A. Defillo, Commander of the Field Operations Bureau, on Wednesday, August 18, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outline.

Deputy Superintendent Defillo has recommended the following dispositions and penalties for the sustained violations.

Rule 2: Moral Conduct, paragraph 2, Courtesy: Sustained, Letter of Reprimand.

Rule 3: Professional Conduct, paragraph 1, Professionalism: Sustained, Letter of Reprimand.

Rule 2: Moral Conduct, paragraph 3, Truthfulness: Not Sustained

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 2: Moral Conduct, paragraph 2, Courtesy and Rule 3: Professional Conduct, paragraph 1, Professionalism.

These Rules reads as follows:

## **RULE 2 MORAL CONDUCT**

### **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.

## **RULE 3 PROFESSIONAL CONDUCT**

### **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.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.




- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
  - (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
  - (6) fine.
- (as amended June 10, 1982, effective June 10, 1982)

Additionally, I approve the penalty recommended by Deputy Superintendent Defillo. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violations, you are hereby notified that for the **sustained** violations of Rule 2: Moral Conduct, paragraph 2, Courtesy and Rule 3: Professional Conduct, paragraph 1, Professionalism, you are disciplined with a Letter of Reprimand. This letter shall serve as your official **Letter of Reprimand**.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Fifth District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Sergeant Neal Charles  
SS# [REDACTED]  
First District  
New Orleans Police Department

RE: P.I.B. Case # 2009-1032R

Sergeant Charles,

An administrative investigative report alleging violations of a Departmental Rule and/or Procedure, regarding Rule 3: Professional Conduct, paragraph 1, Professionalism, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Integrity Control Police Lieutenant Christopher Goodly, assigned to the First District.

This investigation determined that on Thursday, September 23, 2009, at about 12:00p.m., a Public Integrity Bureau complaint was initiated against you after you failed to cooperate in a Jefferson Parish Internal Affairs Division criminal investigation that you filed. The investigation was filed under Jefferson Parish item number I-07346-09 and I-07453-09 for allegation of theft. Deputy Chief Walter Gorman, of the JPSO contacted you on several occasion, but you refuse to cooperate and make yourself available to resolve the matter causing the case to linger. As such, your action unnecessarily inconvenienced Chief Gorman in concluding the investigation and possibly demeaned the reputation of the three deputies you accused in the JSPO crime report. Such action brought discredit to you as a member of the New Orleans Police Department and the Department which is a violation of Rule 3: Professional Conduct, paragraph 1, Professionalism.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Assistant Superintendent Marlon A. Defillo, of the Field Operations Bureau, on Wednesday, January 19, 2011. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.



Chief Defillo has recommended the following disposition and penalty for the sustained violation.

Rule 3: Professional Conduct, paragraph 1, Professionalism: Sustained, Letter of Reprimand.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 3: Professional Conduct, paragraph 1, Professionalism.

This Rule reads as follows:

### **RULE 3 PROFESSIONAL CONDUCT**

#### **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.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.


- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)

Additionally, I approve the penalty recommended by Chief Defillo. 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 that for the **sustained** violation of Rule 3: Professional Conduct, paragraph 1, Professionalism, this letter shall serve as your official **Letter of Reprimand**.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, First District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERPA  
SUPERINTENDENT

March 15, 2011

OUR REF: 27051 AA

Police Dispatcher Dianne LaRose  
SS# [REDACTED]  
Communications Division  
New Orleans Police Department

RE: P.I.B. Case # 2010-0431R

Dispatcher LaRose,

An administrative investigative report alleging a violation of Departmental Rule and/or Procedure regarding New Orleans Police Department Operations Manual, Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Assistant Police Communications Supervisor (APCS) Cheryl Jacobs, assigned to the Communications Division.

This investigation determined that on Sunday, March 29, 2010, at about 4:50a.m., you were observed sleeping on duty at the console position. Your eyes were closed which prevented you from seeing incoming Calls for Service. You were inattentive to your duties which could have resulted in you not being able to assist police officers effectively and efficiently. As such, you neglected your duties and responsibilities which is a violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Bruce E. Adams, on Thursday, November 4, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Adams has recommended the following disposition and penalty for the sustained violation.

Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty: Sustained, Letter of Reprimand

After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty. This Rule read as follows:

**RULE 4 PERFORMANCE OF DUTY**

**4. Neglect of Duty**

a. Each employee, because of his grade and assignment, is required to perform certain duties and assume certain responsibilities. An employee's failure to properly function in either or both of these areas constitutes a neglect of duty.

**5. Unauthorized sleeping on duty.**

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine

(as amended June 10, 1982, effective June 10, 1982)

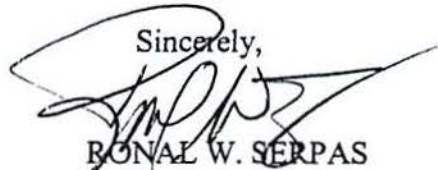


LaRose  
P.I.B. #10-0431R  
Page 3 of 3

Additionally, I approve the disposition and penalty recommended by Captain Adams. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty, you are discipline with a **Letter of Reprimand**. This letter shall serve as your official Letter of Reprimand.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag  
cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Communications Division  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Eric Sosa  
SS# [REDACTED]  
Fourth District  
New Orleans Police Department

RE: P.I.B. Case # 10-0989R

Officer Sosa,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Bradley Wax, assigned to the Fourth District.

This investigation determined that on Wednesday, July 7, 2010, at about 3:00p.m., you failed to appear in Criminal District Court, Section "M4", under case number 492505. You admitted that you received the electronic subpoena via email "Court Notify" and acknowledged your date to attend court. Lastly, you failed to contact CDC, Section "M4" to inform the Judge of your inability to attend the required court hearing. Your failure to appear for the scheduled court date constitutes a violation of Department Rules pertaining to Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit Chapter 74.3 Mandatory Tribunal Attendance.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain David J. Kirsch, the Commander of Fourth District, on November 10, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.



Captain Kirsch has recommended a sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance and further recommended that you receive a one (1) working day suspension.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance.

This Rule reads as follows:

**RULE 4 PERFORMANCE OF DUTY**

**2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

**Applicable Chapter:**

**Chapter 74.3 relative to Mandatory Tribunal Attendance**

1. Attendance at any City, State, Federal, or Civil Court and any Administrative Hearing shall be mandatory under the following conditions:
  - a. under subpoena or order of Instanta,
  - b. upon notification via department teletype,
  - c. under orders of a ranking officer or an employee of the Court,
  - d. upon receipt of a written or verbal notice from the City Attorney's or District Attorney's offices.

5. Employees who have been served with a subpoena and for a valid reason cannot appear shall contact the appropriate court section and inform the Judge of their inability to attend.
6. Employees who fail to comply with policies established in this Chapter after having been properly notified shall be subject to disciplinary action.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.  
(as amended June 10, 1982, effective June 10, 1982)



Sosa  
P.I.B. #10-0989R  
Page 4 of 4

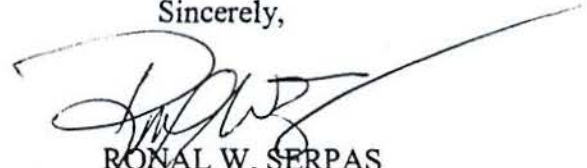
Additionally, I approve the penalty recommended by Captain Kirsch. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, you are **suspended** from the New Orleans Police Department for **one (1) working day**, effective the week of **Sunday, March 27, 2011**. The actual starting date of your suspension during that week is at the discretion of your Commander.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that if you are suspended, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Fourth District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*

March 15, 2011



RONAL W. SERPAS  
SUPERINTENDENT

OUR REF: 27051 AA

Police Reserve Sergeant Cynthia Landry  
SS# [REDACTED]  
Reserve Section, FOB  
New Orleans Police Department

RE: P.I.B. Case # 2010-1231C

Reserve Sergeant Landry,

An administrative investigative report alleging violations of Departmental Rules and/or Procedures regarding New Orleans Police Department Operations Manual; Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source, to wit: Chapter 22.8, paragraph 26 and Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit; Chapter 22.8 - Paid Details, paragraphs 32, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Reserve Captain James Dickerson, assigned to the Reserve Section.

This investigation determined that on Thursday, August 26, 2010, during the hours of 8:30a.m to 6:00p.m., Sergeant Walter Zschiedrich, assigned to the Public Integrity Bureau, observed you working a paid detail at New Orleans Entergy Offices, located at 3400 Canal Street. The sign-in sheet for the detail listed your name down for working four (4) hours on August 26, 2010 and two (2) hours on August 27, 2010. No Form 21 (Paid Detail Form) was located for either date in the Reserve Section or the Inspections Office on file approving you to work the detail. Additionally, the Detail Logbook in the First District did not show an entry for either date with your name indicating you were working the Paid Detail. You admitted that you did not submit the proper forms to obtain authorization to work the detail or log into the First District detail logbook. As such, you violated Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source, to wit: Chapter 22.8 paragraph 26, and Rule 4: Performance of Duty; paragraph 2 - Instructions from an Authoritative Source to wit; Chapter 22.8 - Paid Details, paragraphs 32.



To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Heather M. Kouts, Commander of the Reserve Section on Wednesday, January 5, 2011. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Kouts has recommended the following dispositions and penalties for the sustained violations.

Rule 4: Performance of Duty; paragraph 2 - Instructions from an Authoritative Source to wit; Chapter 22.8 Paid Details, paragraph 26: Duplicate of #2.

Rule 4: Performance of Duty; paragraph 2 - Instructions from an Authoritative Source to wit; Chapter 22.8 Paid Details, paragraph 32: Sustained, Letter of Reprimand.

After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty; paragraph 2 - Instructions from an Authoritative Source to wit; Chapter 22.8 - Paid Details, paragraphs 32.

This Rule read as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

An employee shall professionally, promptly, and fully abide by or execute instructions issued from any authoritative source, including any order relayed from a superior by an employee of the same or lesser rank. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, the employee receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

##### **Applicable Chapter: Chapter 22.8 Paid Details, Paragraph 32.**

32. All officers or other employees who are working an authorized paid detail shall be responsible for notifying the district where the detail is physically located. The officer or employee shall provide the desk officer of his/her name, badge number, detail location, and hours the detail is worked. It shall be the reporting officer or employee's responsibility to obtain the name of who he/she notified.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine  
(as amended June 10, 1982, effective June 10, 1982)



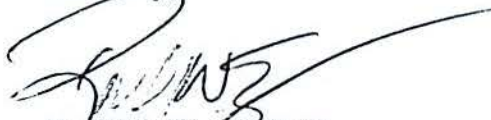
Landry  
P.I.B. #10-1231C  
Page 4 of 4

Additionally, I approve the penalty recommended by Captain Kouts. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit; Chapter 22.8 Paid Details, paragraph 32, you shall be disciplined with a Letter of Reprimand. This letter shall serve as your official **Letter of Reprimand**.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'R. W. Serpas', with a long horizontal flourish extending to the right.

RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Reserve Section  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERP  
SUPERINTENDENT

March 15, 2011

OUR REF: 27051 AA

Police Officer Tucker Guidry  
SS# [REDACTED]  
Eighth District  
New Orleans Police Department

RE: P.I.B. Case # 2010-1113C

Officer Guidry,

An administrative investigative report alleging a violation of Departmental Rule and/or Procedure regarding New Orleans Police Department Operations Manual, Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c4, Failing to make a written report when such is indicated, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Charles Miller, assigned to the Eighth District.

This investigation determined that on Tuesday, July 13, 2010, at about 4:46p.m., you were dispatched to a call for service to 701 Poydras Street (One Shell Square) under item number G-1975-10. The complainant provided you with a list of serial numbers of several guns that were stolen. You failed to write a supplemental report relative to the stolen guns. As such, you neglected your duties and responsibilities which is a violation of Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c4, failing to make a written report when such is indicated.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Edwin Hosli, Jr., on Thursday, January 6, 2011. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Hosli has recommended the following disposition and penalty for the sustained violation.

Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c4: Sustained, Letter of Reprimand, Category 1.



After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c4. This Rule read as follows:

**RULE 4 PERFORMANCE OF DUTY**

**4. Neglect of Duty**

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

4. Failing to make a written report when such is indicated.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine

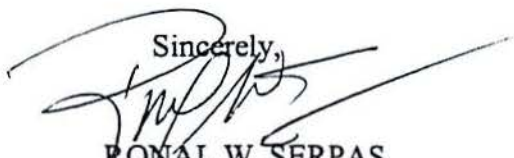
(as amended June 10, 1982, effective June 10, 1982)

Guidry  
P.I.B. #10-1113C  
Page 3 of 3

Additionally, I approve the disposition and penalty recommended by Captain Hosli. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph C4, failing to make a written report when such is indicated, you are discipline with a **Letter of Reprimand**. This letter shall serve as your official Letter of Reprimand.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag  
cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Eighth District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS  
**DEPARTMENT OF POLICE**

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*

March 15, 2011



RONAL W. SERPAS  
SUPERINTENDENT

OUR REF:27051 AA

Police Officer Andrew Whitaker  
SS# [REDACTED]  
Narcotics/Vice, ISB  
New Orleans Police Department

RE: P.I.B. Case # 2010-0753R

Officer Whitaker,

An administrative investigative report alleging a violation of Departmental Rules and/or Procedures regarding New Orleans Police Department Operations Manual; Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 22.8 - Paid Details, paragraph 26, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Wayne J. Crescioni, assigned to the Vice/Narcotics Administration.

This investigation determined that on May 23, 2010, at about 9:30p.m., Major John Bryson, of the Office of Compliance, initiated a complaint that you were working an unauthorized detail at 8433 Oak Street, Ninja Restaurant. After reviewing the Second District Detail Log indicating you worked the detail numerous times in 2009 and 2010, without proper approval. Further investigation revealed that you work the detail without submitting and getting approval of the Yearly Renewal Form 21. During your administrative statement, you admitted that you worked the detail on numerous occasions in 2009 and 2010, and failed to obtain approval of the Yearly Renewal form for details. As such, you violated Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 22.8 - Paid Details, paragraph 26.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Deputy Superintendent Kirk M. Bouyelas, on Tuesday, November 2, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Deputy Superintendent Bouyelas has recommended the following disposition and penalty for the sustained violation.

Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit; Chapter 22.8 Paid Details, paragraph 26: Sustained, Letter of Reprimand.

After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit; Chapter 22.8 Paid Details, paragraph 26.

This Rule read as follows:

**RULE 4 PERFORMANCE OF DUTY**

**2. Instructions from an Authoritative Source**

An employee shall professionally, promptly, and fully abide by or execute instructions issued from any authoritative source, including any order relayed from a superior by an employee of the same or lesser rank. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, the employee receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

**Applicable Chapter: Chapter 22.8 Paid Details, paragraph 26.**

26. Approval to work paid details shall not be automatic. Employees wishing to work a paid detail shall complete the current New Orleans Police Paid Detail Authorization Form #21 (revised 02/01/2004) in advance, prior to working the paid detail. Upon approval by the officer's Division Commander, the officer will be allowed to work the requested detail pending final approval of the Superintendent of Police. There are no exemptions from this requirement.

- a. The completed N.O.P.D. Form 21 with a copy of the member's attendance record for the previous twelve (12) months will be routed through the chain of command to the Superintendent of Police for final approval. It will be the responsibility of the officer's Division Commander to ensure that the form is correctly and accurately completed.
- b. Each reviewing authority in the requesting officer's chain of command shall consider the



following when reviewing a Paid Detail Request Form:

1. The location of the paid detail;
  2. The scope of duties scheduled to be performed;
  3. The use of police equipment;
  4. The requesting officer's overall attendance record over the previous twelve (12) months. All sick leave usage will be considered, including those instances which are documented per Chapter 22.1;
  5. The requesting officer's overall work performance, including productivity and disciplinary record; and
  6. If the requesting officer is a Police Officer I, each reviewing authority shall ensure that the requesting officer has achieved permanent Police Officer I status, if the detail is not supervised by a ranking officer. (Note: Only members of Police Officer I status are required to complete the "Date Off FTO" section on the paid detail authorization form.)
- c. In instances where a reviewing authority disapproves a Paid Detail Request, (s)he shall note the reason(s) for disapproval (such as poor attendance record, poor performance, disciplinary problems, etc.) on the form and continue routing the request through the chain of command for final approval/disapproval by the Superintendent of Police. A copy of the disapproval shall be forwarded to the requesting officer by the supervisory officer disapproving the request and shall include the reason(s) for the disapproval. The officer will have the option of submitting a Form 105 in response to the disapproval as outlined in paragraph 27(c).
- d. Members working traffic escort details assigned through the Traffic Division "Escort Book" shall complete a permanent Paid Detail Request listing "Traffic Division - Escort Book" as the employer on the form. All other areas of the form will be completed. The form will be submitted through the member's chain of command as outlined elsewhere in this chapter. For the purposes of this chapter, each paid detail worked through the "Traffic Division - Escort Book" shall be considered as being a minimum one (1) hour paid detail counting towards the member's overall weekly paid detail limit, as outlined elsewhere in this chapter.
- e. Members working paid details scheduled, coordinated, and/or paid through the "SOD Permits" account shall complete a permanent paid detail request listing "SOD Permits" as the employer on the Paid Detail Request Form. All other areas of the form will be completed. The form will be submitted through the member's chain of command as outlined elsewhere in this chapter.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine  
(as amended June 10, 1982, effective June 10, 1982)



Whitaker  
P.I.B. #10-0753R  
Page 5 of 5

Additionally, I approve the penalty recommended by Deputy Superintendent Bouyelas. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 22.8, Paid Details, paragraph 26, you shall be disciplined with a Letter of Reprimand. This letter shall serve as your official **Letter of Reprimand**.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Ronal W. Serpas', is written over the printed name.

RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
Investigation & Support Bureau  
Commander, Vice/Narcotics, ISB  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Christopher Johnson  
SS# [REDACTED]  
Third District  
New Orleans Police Department

RE: P.I.B. Case # 2010-0741C

Officer Johnson,

An administrative investigative report alleging violations of a Departmental Rule and/or Procedure, regarding Rule 3: Professional Conduct, paragraph 1, Professionalism, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Sergeant Sherman Mushatt, assigned to the Third District.

This investigation determined that on Saturday, May 22, 2010, at about 1:49p.m, you were investigating a traffic incident at the location of Interstate 610 and Canal Boulevard. You departed the scene of the incident and left the complainant without his vehicle keys and without air conditioning, thus unnecessarily inconveniencing the citizen. As such, your action brought discredit to you as a member of the New Orleans Police Department and the Department which is a violation of Rule 3: Professional Conduct, paragraph 1, Professionalism.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Henry W. Dean, Commander of the Third District, on Wednesday, December 8, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Dean has recommended the following disposition and penalty for the sustained violation.

Rule 3: Professional Conduct, paragraph 1, Professionalism: Sustained, Letter of Reprimand.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 3: Professional Conduct, paragraph 1, Professionalism.



This Rule reads as follows:

### **RULE 3 PROFESSIONAL CONDUCT**

#### **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.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

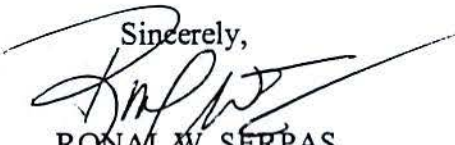
(as amended June 10, 1982, effective June 10, 1982)

Johnson  
P.I.B. #2010-0741C  
Page 3 of 3

Additionally, I approve the penalty recommended by Captain Dean. 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 that for the **sustained** violation of Rule 3: Professional Conduct, paragraph 1, Professionalism, this letter shall serve as your official **Letter of Reprimand**.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Third District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPA  
SUPERINTENDENT

March 28, 2011

OUR REF: 27051 AA

Police Officer Easterlyn McKendall  
SS# [REDACTED]  
Administrative Duties Division  
New Orleans Police Department

RE: P.I.B. Case # 2010-1030R

Officer McKendall,

An administrative investigative report alleging violations of Departmental Rules and/or Procedures regarding New Orleans Police Department Operations Manual, Rule 3: Professional Conduct, paragraph 1 – Professionalism, Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph a, and Rule 4: Performance of Duty, paragraph 5, Ceasing to perform before end of period of duty, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Sergeant Alfred Russell Jr., assigned to Central Evidence and Property.

This investigation determined that on Sunday, July 11, 2010, at or approximately 10:20p.m., you were assigned to Central Evidence and Property Warehouse. At approximately 10:00p.m., Captain Rose Duryea, Commander of C.E. & P received a call claiming that officers were waiting over forty five (45) minutes for evidence to be accepted. It was learned that you neglected your duties when you left Police Technician Nicole Bouttee alone to process evidence being received at C. E. & P. As such, you violated Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph a.

You admitted that you left work prior to the scheduled time to end your tour of duty without the approval or permission of any supervisor, which is a violation of Rule 4: Performance of Duty, paragraph 5, Ceasing to perform before end of period of duty.

Additionally, because you left work early you inconvenienced the Police Officers who had to wait in line. Your actions brought discredit to yourself, Central Evidence and Property Division and the New Orleans Police Department. As such, you violated Rule 3: Professional Conduct, paragraph 1 – Professionalism.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Deputy Superintendent Kirk M. Bouyelas, on March 10, 2011, of the Investigation & Support Bureau. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Deputy Superintendent Bouyelas has recommended the following dispositions and penalties for the sustained violations.

Rule 3: Professional Conduct, paragraph 1 – Professionalism: Sustained, five (5) working day suspension.

Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph a: Sustained, eight (8) working day suspension. **Second Offense**

Rule 4: Performance of Duty, paragraph 5, Ceasing to perform before end of period of duty: Sustained, eight (8) working day suspension. **Second Offense**

After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 3: Professional Conduct, paragraph 1 – Professionalism, Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph a, Second Offense, and Rule 4: Performance of Duty, paragraph 5, Ceasing to perform before end of period of duty, Second Offense.

These Rules read as follows:

### **RULE 3 PROFESSIONAL CONDUCT**

#### **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.

### **RULE 4 PERFORMANCE OF DUTY**

#### **4. Neglect of Duty**

a. Each employee, because of his grade and assignment, is required to perform certain duties and assume certain responsibilities. An employee's failure to properly function in either or both of these areas constitutes a neglect of duty.



#### **RULE 4 PERFORMANCE OF DUTY**

##### **5. Ceasing to perform before end tour of duty.**

An employee shall be allowed to end his/her period of duty only with prior approval of his/her supervisor.

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:

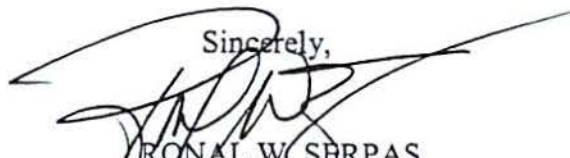
- (1) removal from the service.
  - (2) involuntary retirement.
  - (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
  - (4) demotion to any position of a lower classification that the employee is deemed by the appointing authority and the Director to be competent to fill, accompanied by a reduction in pay, which is within the salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
  - (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
  - (6) fine
- (as amended June 10, 1982, effective June 10, 1982)

Additionally, I approve the penalty recommended by Deputy Superintendent Bouyelas. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violations, you are hereby notified that for the **sustained** violations of Rule 3: Professional Conduct, paragraph 1 – Professionalism, Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph a, (**Second Offense**), and Rule 4: Performance of Duty, paragraph 5, Ceasing to perform before end of period of duty, (**Second Offense**), you are **suspended** from the New Orleans Police Department for **twenty one (21) working days**, effective the week of **Sunday, April 3, 2011**. The penalties for sustained violations of Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph a, and Rule 4: Performance of Duty, paragraph 5, Ceasing to perform before end of period of duty are base on **Second Offenses**, which occurred within a twenty four (24) month period of the current rule violated. These penalties are within the Disciplinary Hearing/Penalty guidelines established in NOPD Chapter 26.2 for progressive discipline. The actual starting day of your suspension during that week is at the discretion of your Commander. Your two (2) AWP days are not counted as suspension days and this suspension is to run without interruption.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Commander, Administrative Duties Division  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SER  
SUPERINTENDE

March 16, 2011

OUR REF: 27051 AA

Police Officer Tracie Medus  
SS# [REDACTED]  
Eighth District  
New Orleans Police Department

RE: P.I.B. Case # 2010-1386R

Officer Medus,

An administrative investigative report alleging a violation of Departmental Rules and/or Procedures regarding New Orleans Police Department Operations Manual; Rule 4: Performance of Duty, paragraph 6, Leaving assigned area, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Integrity Control Officer, Lieutenant Derek Frick, assigned to the Eighth District.

This investigation determined that on Monday, October 11, 2010, at or approximately 1:00p.m., Lieutenant Frick was advised by Captain Darryl Albert, Commander of the Second District, that he observed you out of your assigned area of the Eighth District Day Beat Unit. You were riding in a RTA Transit Police vehicle with Officer Oscar Ortiz at the intersection of Canal Street and North Rampart Street. Additionally, you were again observed out of your assigned area on Tuesday, October 12, 2010, at 3:20p.m. As such, you violated Rule 4: Performance of Duty, paragraph 6, Leaving assigned area.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Edwin Hosli Jr., on Thursday, January 6, 2011, Commander of the Eighth District. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Hosli has recommended the following disposition and penalty for the sustained violation.

Rule 4: Performance of Duty, paragraph 6, Leaving assigned area: Sustained, Letter of Reprimand.

After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 6, Leaving assigned area.

#### **RULE 4 PERFORMANCE OF DUTY**

##### **4. Leaving assigned area**

Employees shall remain within the boundaries of their assignment except when specifically authorized by their supervisor, radio dispatcher, or in hot pursuit.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine  
(as amended June 10, 1982, effective June 10, 1982)

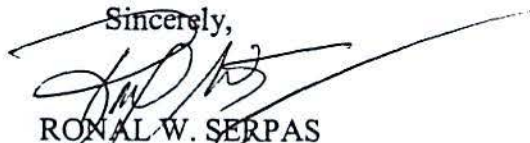


Medus  
P.I.B #10-1386R  
Page 3 of 3

Additionally, I approve the penalty recommended by Captain Hosli. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 6, Leaving assigned area, you are disciplined with a **Letter of Reprimand**. This letter shall serve as your official Letter of Reprimand.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag  
cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Eighth District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERP.  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Wynn Williams  
SS# [REDACTED]  
Second District  
New Orleans Police Department

RE: P.I.B. Case # 2010-0717R

Officer Williams,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure regarding New Orleans Police Department Manual, Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 22.1 Fitness for Duty, subparagraph 1, (6 Counts), has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Damon Murray, assigned to the Public Integrity Bureau.

This investigation determined that on June 16, 2010, you were summoned to the Public Integrity Bureau and during the interview you admitted to completing and turning in six (6) Departmental Form 50's dated May 11, 2010. The date you returned to duty compared to the date you turned in the Form 50 was past the five (5) day time frame allotted by Departmental policy. As such, you violated Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 22.1 Fitness for Duty, subparagraph 1, (6 Counts).

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Assistant Superintendent Marlon M. Defillo, of the Field Operations Bureau, on September 15, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Deputy Superintendent Defillo has recommended the following disposition and penalty for the sustained violation.

Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 22.1 Fitness for Duty, subparagraph 1, 6 Counts: Sustained, Letter of Reprimand.



After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 22.1 Fitness for Duty, subparagraph 1, (6 Counts).

This Rule reads as follows:

**RULE 4 PERFORMANCE OF DUTY**

**2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

**Applicable Chapter: Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 22.1 Fitness for Duty, subparagraph 1, 6 Counts.**

1. For documented sick leave, the employee shall provide the completed Form 50 to his/her supervisor (or supervisor's designee) within five (5) business days of returning to duty. An employee may elect to document any sick leave usage, provided the Form 50 is presented within the specified time.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)

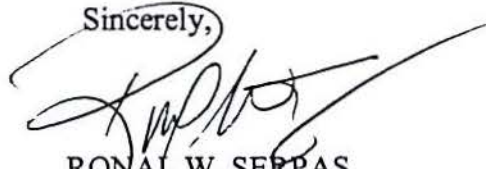


Williams  
P.I.B. #10-0717R  
Page 4 of 4

Additionally, I approve the penalty recommended by Deputy Superintendent Defillo. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 22.1 Fitness for Duty, subparagraph 1, (6 Counts), this letter shall serve as your official **Letter of Reprimand**.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Second District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Sergeant Leo Peters  
SS# [REDACTED]  
Eighth District  
New Orleans Police Department

RE: P.I.B. Case # 2010-0812R

Sergeant Peters,

An administrative investigative report alleging violations of Departmental Rules and/or Procedures regarding New Orleans Police Department Operations Manual; Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c6; failing to comply with Instructions oral or written from an authoritative source, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Keith Joseph, assigned to the Eighth District.

This investigation determined that on Wednesday, June 9, 2010, Lieutenant Derek Frick initiated a formal investigation against you because you were assigned a DI-1 investigation under PIB Control number 2010-0621C by Lieutenant Otha Sandifer on Thursday, May 13, 2010. Lieutenant Sandifer advised you that the DI-1 was due back no later than Wednesday, June 2, 2010. On Wednesday, June 2, 2010, Lieutenant Frick spoke to you to ascertain the status of the case. Lieutenant Frick advised you the case was due for review no later than Friday, June 4, 2010. As of Wednesday, June 9, 2010, you had not submitted the completed DI-1 for approval. As such, you violated Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c6; failing to comply with Instructions oral or written from an authoritative source.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Edwin Hosli, Jr., on Tuesday, November 30, 2010, Commander of the Eighth District. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.



Captain Hosli has recommended the following dispositions and penalties for the sustained violations.

Rule 4: Performance of Duty, paragraph 4, Neglect of Duty, c6: Not Sustained.

Assistant Superintendent Marlon A. Defillo, of the Field Operations Bureau received and reviewed the Disciplinary Hearing form submitted by Captain Hosli and did not concur with his recommended disposition and penalty. Assistant Superintendent Defillo submitted an Interoffice Correspondence coversheet dated December 10, 2010 that explained you failed to complete and submit the DI-1 investigation to the Integrity Control Officer as instructed and failed to obtain an extension. The case was submitted on June 13, 2010, eleven (11) days after the instructed due date and four (4) days delinquent to the Field Operations Bureau.

After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c6; failing to comply with Instructions oral or written from an authoritative source.

This Rule read as follows:

**RULE 4 PERFORMANCE OF DUTY**

**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 an authoritative source.

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:

- (1) removal from the service.
  - (2) involuntary retirement.
  - (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
  - (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
  - (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
  - (6) fine
- (as amended June 10, 1982, effective June 10, 1982)

Additionally, I approve the penalty recommended by Assistant Superintendent Defillo. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c6; failing to comply with Instructions oral or written from an authoritative source, you are disciplined with a **Letter of Reprimand**. This letter shall serve as your official Letter of Reprimand.




Peters  
P.I.B #10-0812R  
Page 4 of 4

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Eighth District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Angelle Clivens  
SS# [REDACTED]  
First District  
New Orleans Police Department

RE: P.I.B. Case # 10-1153R

Officer Clivens,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding New Orleans Operations Manual; Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Ashish Shah, assigned to the First District.

This investigation determined that on Friday, August 13, 2010, at about 1:00p.m., Lieutenant Arden Taylor, of the Office of Compliance, was notified by Assistance District Attorney Jason Napoli of Criminal District Court, Section "M-5" who reported that you failed to appear in Section "M-5", under case number 493-438 on Thursday, August 12, 2010, at 3:00p.m. Documentation supports that you received the electronic subpoena via email "Court Notify" and acknowledged your date to attend court. Lastly, you failed to contact CDC, Section "M-5" to inform the Judge of your inability to attend the required court hearing. As such, you violated Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit Chapter 74.3 Mandatory Tribunal Attendance.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Robert E. Norton, the Commander of First District, on Monday, December 27, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.



Captain Norton has recommended a sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source, to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance and further recommended that you receive a one (1) working day suspension, Category 1.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1.

This Rule reads as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

##### **Applicable Chapter:**

##### **Chapter 74.3 relative to Mandatory Tribunal Attendance**

1. Attendance at any City, State, Federal, or Civil Court and any Administrative Hearing shall be mandatory under the following conditions:
  - a. under subpoena or order of Instanta,
  - b. upon notification via department teletype,
  - c. under orders of a ranking officer or an employee of the Court,
  - d. upon receipt of a written or verbal notice from the City Attorney's or District Attorney's offices.

5. Employees who have been served with a subpoena and for a valid reason cannot appear shall contact the appropriate court section and inform the Judge of their inability to attend.
6. Employees who fail to comply with policies established in this Chapter after having been properly notified shall be subject to disciplinary action.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.

(6) fine.

(as amended June 10, 1982, effective June 10, 1982)



Clivens  
P.I.B. #10-1153R  
Page 4 of 4


Additionally, I approve the penalty recommended by Captain Norton. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1, you are **suspended** from the New Orleans Police Department for **one (1) working day**, effective the week of **Sunday, March 27, 2011**. The actual starting date of your suspension during that week is at the discretion of your Commander.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that if you are suspended, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag  
cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, First District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERP.  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Tracie Medus  
[REDACTED]

Sixth District  
New Orleans Police Department

RE: P.I.B. Case # 2010-1073R

Officer Medus,

An administrative investigative report alleging violations of Departmental Rules and/or Procedures regarding New Orleans Police Department Operations Manual, Rule 3: Professional Conduct, paragraph 1 - Professionalism and Rule 4: Performance of Duty, paragraph 4 - Neglect of Duty, paragraph c6; failing to comply with Instructions oral or written from an authoritative source, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Integrity Control Officer Lieutenant Derek Frick, assigned to the Eighth District.

This investigation determined that on Friday, July 30, 2010, at or approximately 10:30p.m., you failed to follow a direct order from N.O.P.D supervisor, Sergeant Gary LeRouge to search a female prisoner under lawful arrest. You began arguing with Sergeant LeRouge and called him A.D.D (Attention Deficit Disorder) in the presence of several Eighth District Officers who were on the scene. As such, you violated Rule 3: Professional Conduct, paragraph 1 - Professionalism and Rule 4: Performance of Duty, paragraph 4 - Neglect of Duty, paragraph c6; failing to comply with Instructions oral or written from an authoritative source.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Edwin Hosli, Jr., on Thursday, January 6, 2011, Commander of the Eighth District. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.



Captain Hosli has recommended the following dispositions and penalties for the sustained violations.

Rule 3: Professional Conduct, paragraph 1 – Professionalism; Sustained, Letter or Reprimand.

Rule 4: Performance of Duty, paragraph 4, Neglect of Duty, c6: Sustained, three (3) day suspension, Category 2.

After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 3: Professional Conduct, paragraph 1 - Professionalism and Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c6; failing to comply with Instructions oral or written from an authoritative source, Category 2.

This Rule read as follows:

### **RULE 3 PROFESSIONAL CONDUCT**

#### **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.

### **RULE 4 PERFORMANCE OF DUTY**

#### **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 an authoritative source.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.

(6) fine

(as amended June 10, 1982, effective June 10, 1982)

Additionally, I approve the penalty recommended by Captain Hosli. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violations, you are hereby notified that for the **sustained** violation of Rule 3: Professional Conduct, paragraph 1 – Professionalism, you are disciplined with a **Letter of Reprimand**. This letter shall serve as your official Letter of Reprimand. For the **sustained** violation of Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c6; failing to comply with Instructions oral or written from an authoritative source, Category 2, you are **suspended** from the New Orleans Police Department for **three (3) working days**, effective the week of **Sunday, March 27, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. Your two (2) AWP days are not counted as suspension days. This suspension is to run without interruption.



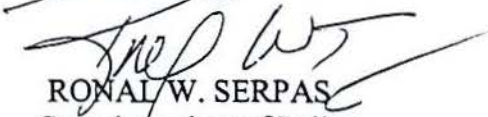
Medus  
P.I.B #10-1073R  
Page 4 of 4

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Sixth District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Sergeant Luther Randall  
SS# [REDACTED]  
Fifth District  
New Orleans Police Department

RE: P.I.B. Case # 2010-0759R

Sergeant Randall,

An administrative investigative report alleging violations of a Departmental Rule and/or Procedure, regarding Rule 3: Professional Conduct, paragraph 1, Professionalism, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Sergeant Andre LeBlanc, assigned to the Public Integrity Bureau.

This investigation determined that on Friday, May 28, 2010, at about 2:35a.m, while at the International House of Pancakes (IHOP Restaurant), 151 West Bank Expressway, you were involved in a disturbance with female companion (girlfriend). The disturbance demanded the intervention of an off duty Jefferson Parish Sheriff Deputy. During the investigation you were non-compliant with the orders and directives given to you by the deputies. You were also handcuffed and secured in a police unit. Subsequently, you were issued a Misdemeanor Summons for Disturbing the Peace by Public Intoxication. The Misdemeanor charge against you was refused by the Jefferson Parish District Attorney. Nevertheless, your actions brought discredit to you as a member of the New Orleans Police Department and the Department which is a violation of Rule 3: Professional Conduct, paragraph 1, Professionalism.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Bernardine W. Kelly, Commander of the Fifth District, on Wednesday, December 1, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.



Captain Kelly has recommended the following disposition and penalty for the sustained violation of Rule 3: Professional Conduct, paragraph 1, Professionalism: Sustained, three (3) working day suspension.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 3: Professional Conduct, paragraph 1, Professionalism. This Rule reads as follows:

### **RULE 3 PROFESSIONAL CONDUCT**

#### **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.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

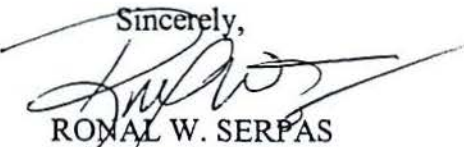
(as amended June 10, 1982, effective June 10, 1982)

Additionally, I approve the penalty recommended by Captain Kelly. 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 that for the **sustained** violation of Rule 3: Professional Conduct, paragraph 1, Professionalism, you are **suspended** from the New Orleans Police Department for **three (3) working days**, effective the week of **Sunday, March 27, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Fifth District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Dispatcher Elmaree Thomas  
SS# [REDACTED]  
Communications Division  
New Orleans Police Department

RE: P.I.B. Case # 2010-0574R

Dispatcher Thomas,

An administrative investigative report alleging violations of Departmental Rule and/or Procedure regarding New Orleans Police Department Operations Manual; Rule 2: Moral Conduct, paragraph 3 – Truthfulness and Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c5, Unauthorized sleeping on duty, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Assistant Police Communications Supervisor (APCS) Annie F. Lockett, assigned to the Communications Division.

This investigation determined that on Friday, April 23, 2010, at about 5:15a.m., you were observed sleeping on duty at the console position or giving the appearance of sleeping. Your eyes were closed which prevented you from monitoring your work station. PCS Deal observed you for several minutes before you became alert. You were inattentive to your duties which could have resulted in you not being able to assist police officers effectively and efficiently. When questioned about sleeping on duty, you denied sleeping in the Communications Center. Additionally, you were untruthful when you stated you were allowed to watch programs on EMS television. You were not grant permission at any time to watch EMS television. Dispatchers' responsibility is to monitor their work station at all time. As such, you violated Rule 2: Moral Conduct, paragraph 3 – Truthfulness and Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c5, Unauthorized sleeping on duty.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Bruce E. Adams, Commander of the Communications Division, on Thursday, November 4, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Adams has recommended the following dispositions and penalties for the violations.

Rule 2: Moral Conduct, paragraph 3 – Truthfulness: Not Sustained.

Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty: Not Sustained.

Assistant Superintendent Kirk M. Bouyelas, of the Field Operations Bureau, received and reviewed the Disciplinary Hearing Form submitted by Captain Adams. Assistant Superintendent Bouyelas did not concur with Captain Adams' recommendation that Rule 2: Moral Conduct, paragraph 3 – Truthfulness and Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c5, Unauthorized sleeping on duty should be Not Sustained. Assistant Superintendent Bouyelas submitted an Interoffice Correspondence coversheet dated December 9, 2010, and recommended the following:

Rule 2: Moral Conduct, paragraph 3, Truthfulness: Sustained, three (3) working day suspension.

Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty: Sustained, Letter of Reprimand.

After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 2: Moral Conduct, paragraph 3 – Truthfulness and Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c5, Unauthorized sleeping on duty.

These Rules read as follows:

## **RULE 2 MORAL CONDUCT**

### **3. Truthfulness**

Upon order of the Superintendent of Police, the Superintendent's designee, or a superior officer, employees shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department which may be asked of them.

## **RULE 4 PERFORMANCE OF DUTY**

### **4. Neglect of Duty**

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

5. Unauthorized sleeping on duty.



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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine

(as amended June 10, 1982, effective June 10, 1982)

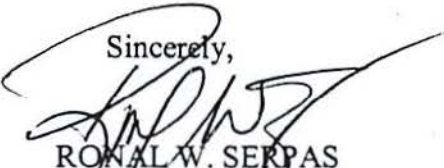
Additionally, I approve the dispositions and penalties recommended by Assistant Superintendent Bouyelas. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violations, you are hereby notified that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty, you are disciplined with a **Letter of Reprimand**. This letter shall serve as your official Letter of Reprimand. For the sustained violation of Rule 2: Moral Conduct, paragraph 3, Truthfulness, you are **suspended** from the New Orleans Police Department for **three (3) working days**, effective the week of **Sunday, March 27, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.

Thomas  
P.I.B #10-0574R  
Page 4 of 4

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Communications Division  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERP  
SUPERINTENDENT

March 15, 2011

OUR REF: 27051 AA

Police Dispatcher Monica Stevens  
SS# [REDACTED]  
Communications Division  
New Orleans Police Department

RE: P.I.B. Case # 2010-0705R

Dispatcher Stevens,

An administrative investigative report alleging a violation of Departmental Rule and/or Procedure regarding New Orleans Police Department Operations Manual, Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Assistant Police Communications Supervisor (APCS) Cheryl Jacobs, assigned to the Communications Division.

This investigation determined that on Sunday, May 16, 2010, at about 6:29a.m., you were observed sleeping on duty at the console position. Your eyes were closed which prevented you from seeing incoming Calls for Service. APCS Jacobs had to tap you on your shoulder to get your attention. You were inattentive to your duties which could have resulted in you not being able to assist police officers effectively and efficiently. As such, you neglected your duties and responsibilities which is a violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Bruce E. Adams, on Friday, November 5, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Adams has recommended the following disposition and penalty for the sustained violation.

Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty: Sustained, Letter of Reprimand

After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty. This Rule read as follows:

**RULE 4 PERFORMANCE OF DUTY**

**4. Neglect of Duty**

a. Each employee, because of his grade and assignment, is required to perform certain duties and assume certain responsibilities. An employee's failure to properly function in either or both of these areas constitutes a neglect of duty.

**5. Unauthorized sleeping on duty.**

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine

(as amended June 10, 1982, effective June 10, 1982)




Stevens  
P.I.B. #10-0705R  
Page 3 of 3

Additionally, I approve the disposition and penalty recommended by Captain Adams. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty, you are discipline with a **Letter of Reprimand**. This letter shall serve as your official Letter of Reprimand.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag  
cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Communications Division  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Technician Tanesha Sanetmore  
SS# [REDACTED]  
Crime Lab, ISB  
New Orleans Police Department

RE: P.I.B. Case # 2010-0124C

Officer Santemore,

An administrative investigative report alleging violations of Rules and/or Procedures, regarding New Orleans Police Department Operations Manual, Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: 17271 MCS 54-96 Relative to Simple Battery and Rule 3: Professional Conduct, paragraph 1 - Professionalism, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Daniel Wharton, assigned to the Public Integrity Bureau.

The investigation has determined that on Sunday, January 31, 2010, at or approximately 12:00a.m., you engaged in a fight with citizen, Ms. Tawina Magee, without any provocation. The investigator concluded that you attacked Ms. Magee first from the rear. Additionally, a witness stated that you attacked Ms. Magee by striking her first, as such you are in violation of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: 17271 MCS 54-96 Relative to Simple Battery.

Also, you acted in an unprofessional manner by fighting with Ms. Magee who has knowledge of your employment as a member of the New Orleans Police Department. You did not conduct yourself in a manner equal to the standards established in Departmental policy which is a violation of Rule 3: Professional Conduct, paragraph 1 - Professionalism.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Assistant Superintendent Kirk M. Bouyelas, of the Investigation & Support Bureau, on Wednesday, December 15, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.



Assistant Superintendent Bouyelas has recommended the following dispositions and penalties for the following violations.

Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: 17271 MCS 54-96 Relative to Simple Battery: Sustained, ten (10) working days suspension.

Rule 3: Professional Conduct, paragraph 1 – Professionalism: Sustained, one (1) day suspension.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: 17271 MCS 54-96 Relative to Simple Battery, and Rule 3: Professional Conduct, paragraph 1 – Professionalism.

These Rules reads as follows:

## **RULE 2 MORAL CONDUCT**

### **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 of this rule.

**Applicable Law:** Adherence to Law to wit: Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: 17271 MCS 54-96 Relative to Simple Battery.

Battery is the intentional use of force or violence upon the person of another; or the intentional administration of a poison or other noxious liquid or substance to another.

## **RULE 3 PROFESSIONAL CONDUCT**

### **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 Police Department.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)

Additionally, I approve the penalty recommended by Assistant Superintendent Bouyelas. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violations, you are hereby notified that for the **sustained** violations of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: 17271 MCS 54-96 Relative to Simple Battery and Rule 3: Professional Conduct, paragraph 1 - Professionalism, you are **suspended** from the New Orleans Police Department for **eleven (11) working days**, effective the week of **Sunday, April 3, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.

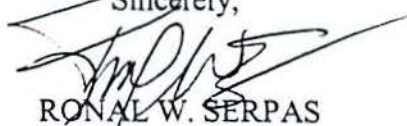


You are advised that you may have a right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Investigation & Support Bureau  
Commander, Crime Lab  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERP  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Sergeant Kristi Bagneris  
SS# [REDACTED]  
Seventh District  
New Orleans Police Department

RE: P.I.B. Case # 2010-1203R

Sergeant Bagneris,

An administrative investigative report alleging a violation of Departmental Rule and/or Procedure regarding New Orleans Police Department Operations Manual, Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, Failing to complete an assigned DI-1 investigation within the prescribed time period, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Eric Berger, assigned to the Seventh District, DIU, who submitted a recommendation of Not Sustained for violation of Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, failing to complete as assigned DI-1 investigation within the prescribed time period.

Assistant Superintendent Marlon A. Defillo, of the Field Operation Bureau, received and reviewed the investigation and did not concur with Sergeant Berger's recommendation. Assistant Superintendent Defillo submitted an Interoffice Correspondence dated November 2, 2010, which indicated you were assigned a Formal Internal Investigation (DI-1). State Law mandates all investigations be completed in sixty (60) days or less. When you assumed role of investigator you accepted responsibility to adhere to Chapter 52.1, which include submitting a complete, coherent investigative report to his/her Integrity Control Officer or designee before the State Law mandated sixty (60) day rule. You failed to submit the internal investigation in the prescribed time. As such, you neglected your duties and responsibilities which is a violation of Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, failing to complete an assigned investigation within the prescribed time period.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Rannie Mushatt, on Wednesday, December 22, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.



Captain Mushatt has recommended the following disposition and penalty for the sustained violation.

Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty: Sustained, Letter of Reprimand.

After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty. This Rule read as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **4. Neglect of Duty**

a. Each employee, because of his grade and assignment, is required to perform certain duties and assume certain responsibilities. An employee's failure to properly function in either or both of these areas constitutes a 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 and Procedures.

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

1. Failing to take appropriate and necessary police action;
2. Failing to respond to all assignments promptly and failing to report dispositions of assignments to the dispatcher immediately upon completion.
3. Failing to advise the dispatcher on each occasion of his absence from the patrol vehicle (except for signal 10-42) and the reason therefore; and failing to report his/her return to his vehicle.
4. Failing to make a written report when such is indicated;
5. Unauthorized sleeping on duty;
6. Failing to comply with instructions, oral or written, from any authoritative source;
7. Failing to take necessary actions so as to insure that a prisoner shall not escape as a result of carelessness or neglect;
8. Failing to thoroughly search for, collect, preserve, and identify evidence in an arrest or investigative situation;
9. Failing to insure that the health, welfare, and property of a prisoner is properly maintained while in individual custody;
10. Failing to properly care for vehicles and other equipment used wherein damage results from carelessness or neglect;
11. Failing to take appropriate action as to illegal activity, including vice and gambling violations, and/or to make a written report of the same to his/her commanding officer.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine

(as amended June 10, 1982, effective June 10, 1982)

Additionally, I approve the disposition and penalty recommended by Captain Mushatt. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 4 - Neglect of Duty, failing to complete an assigned DI-1 investigation within prescribed time period, you are disciplined with a **Letter of Reprimand**. This letter shall serve as your official Letter of Reprimand.

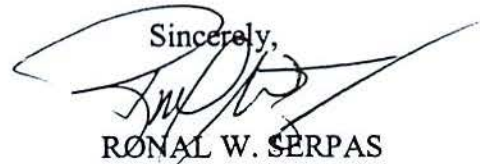


Bagneris  
P.I.B. #10-1203R  
Page 4 of 4

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Seventh District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Dispatcher Qvonda Blackwell-Taylor  
SS# [REDACTED]  
Communications Division  
New Orleans Police Department

RE: P.I.B. Case # 2010-0625R

Dispatcher Blackwell-Taylor,

An administrative investigative report alleging a violation of Departmental Rule and/or Procedure regarding New Orleans Police Department Operations Manual, Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Assistant Police Communications Supervisor (APCS) Annie Lockett, assigned to the Communications Division.

This investigation determined that on Wednesday, May 5, 2010, at about 3:49a.m., you were observed sleeping on duty at the console position. You were inattentive to your duties which could have resulted in you not being able to assist police officers effectively and efficiently. As such, you neglected your duties and responsibilities which is a violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Bruce E. Adams, on Friday, November 5, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Adams has recommended the following disposition and penalty for the sustained violation.

Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty: Sustained, Letter of Reprimand



After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty. This Rule read as follows:

**RULE 4 PERFORMANCE OF DUTY**

**4. Neglect of Duty**

a. Each employee, because of his grade and assignment, is required to perform certain duties and assume certain responsibilities. An employee's failure to properly function in either or both of these areas constitutes a neglect of duty.

5. Unauthorized sleeping on duty.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine

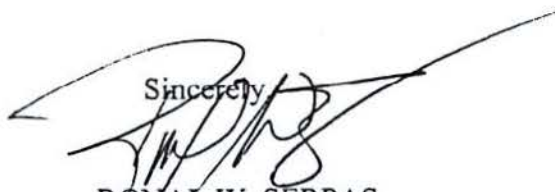
(as amended June 10, 1982, effective June 10, 1982)

Blackwell-Taylor  
P.I.B. #10-0625R  
Page 3 of 3

Additionally, I approve the disposition and penalty recommended by Captain Adams. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty, you are discipline with a **Letter of Reprimand**. This letter shall serve as your official Letter of Reprimand.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Communications Division  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Terrell James  
SS# [REDACTED]  
Eighth District  
New Orleans Police Department

RE: P.I.B. Case # 2010-1115R

Officer James,

An administrative investigative report alleging violations of a Departmental Rule and/or Procedure, regarding Rule 3: Professional Conduct, paragraph 1, Professionalism, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Sergeant Ernest Luster, assigned to the Eighth District.

This investigation determined that on Thursday, August 12, 2010, at about 5:02p.m, Captain Edwin C. Hosli Jr., Commander of the Eighth District, received an email from Mr. Peter Jungena regarding New Orleans Police Department marked police unit #823. The vehicle was occupied by you and you were observed sleeping behind the steering wheel of the vehicle at the location of Saint Charles Avenue and Julia Streets. Several photographs were snapped of you sleeping while you worked at paid detail. The photographs revealed that you failed to be alert on a detail and during the time the photographs were taken. The photographs also prove that your eyes were closed while sitting in a police vehicle. Such action brought discredit to you as a member of the New Orleans Police Department and the Department which is a violation of Rule 3: Professional Conduct, paragraph 1, Professionalism.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Hosli, of the Eighth District, on Tuesday, November 30, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Hosli has recommended the following disposition and penalty for the sustained violation of Rule 3: Professional Conduct, paragraph 1, Professionalism: Sustained, three (3) working day suspension. Category 2

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 3: Professional Conduct, paragraph 1, Professionalism, Category 2. This Rule reads as follows:

### **RULE 3 PROFESSIONAL CONDUCT**

#### **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.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)



Additionally, I approve the penalty recommended by Captain Hosli. 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 that for the **sustained** violation of Rule 3: Professional Conduct, paragraph 1, Professionalism, Category 2, you are **suspended** from the New Orleans Police Department for **three (3) working days**, effective the week of **Sunday, March 27, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Eighth District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

REF: 27051AA  
A.R.B. # 09-087

Police Officer Jeraire Bridges  
SS# [REDACTED]  
Fifth District  
New Orleans Police Department

Officer Bridges,

The Traffic Accident Review Board conducted an administrative inquiry into alleged violations by you of departmental defensive driving techniques and/or the traffic laws of the City of New Orleans and the State of Louisiana. During that inquiry you were given the opportunity to present any witnesses, independent evidence, or mitigating circumstances that may have lessened your culpability. The Board has submitted to my office for the determination of final disciplinary action a report of their findings from that inquiry held on, Tuesday, April 20, 2010.

That inquiry determined that on Monday, September 28, 2009, at approximately 4:17p.m., while on duty and driving New Orleans Police Department vehicle APOL #08140, you were involved in a traffic accident at the location of the intersection of North Roman Street and Mandeville Street, which was reported under New Orleans Police Department Item number I-39374-09. You were operator of vehicle one while stopped for the stop sign, you looked in both directions and pulled forward to execute a right turn onto North Roman Street. You observed vehicle number two approaching from your right and steered left to avoid the crash, but were struck by vehicle two. After impact, you lost control of vehicle one and crashed into the residence of 1900 Manderville Street. At the time of the accident you were responding to a 10-28, under item number I-39374-09.

Traffic Investigator, Officer Lucian Sunseri, interviewed operator of vehicle two, Ms. Cynthia Murphy, who stated operator of vehicle one disregarded the stop sign and pulled out onto North Roman Street directly into her path of travel. After reviewing the facts and circumstances of the accident, the Board concluded that this accident was avoidable in that you were in violation of 17271 MCS Chapter 154, Section 400 relative to Reasonable Vigilance.



This accident/incident, as outlined above, has been classified by the Board as Category B2, Chart 3, Preventable/Line of Duty/Chargeable, that is, the operator share a portion or all the responsibility for the accident/incident, when responding to an emergency call and disregarded traffic laws, safe driving practices, or department regulations governing motor vehicles. The severity of the incident is considered by the Board to be major in nature.

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:

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- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)

After a thorough review of the accident, the subsequent investigation and inquiry by the Board, and your past driving record with this department, I fully concur with the Board's recommended penalty of a three (3) working days suspension.

Therefore, you are **suspended** from the New Orleans Police Department for **three (3) working days**, effective the week of **Sunday, March 27, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.

Additionally, as part of your penalty, you are ordered to attend an Accident Avoidance Training Course at the Education and Training Division (East) as per Chapter 33.4 of the NOPD operations manual. You will be notified by the Education and Training Division as to the date and time of such course. If you do not attend the Accident Avoidance Training Course on the date and time scheduled by the Education and Training Division, you will not be allowed to operate any department vehicle until such time as you successfully complete the Accident Avoidance Training Course.

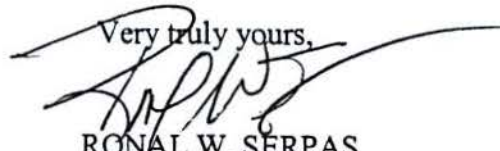
You are advised that you have a right to appeal this decision to the Civil Service Commission for the City of New Orleans within thirty (30) days from the date of this letter. Refer to the New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Service Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.



Bridges  
A.R.B. #09-087  
Page 4 of 4

Additionally, you are advised that any future violations of a similar nature will result in far more severe disciplinary action. A copy of this disciplinary letter will be retained in your personnel file.

Very truly yours,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Division  
NOPD Credit Union  
Bureau Chief, Operation Bureau  
Education and Training Division  
Commanding Officer, Fifth Division  
Technical and Support Bureau - Traffic Accident Review Board  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

REF: 27051AA  
A.R.B. # 09-087

Police Officer Jeraire Bridges  
SS# [REDACTED]  
Fifth District  
New Orleans Police Department

Officer Bridges,

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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:

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- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)

After a thorough review of the accident, the subsequent investigation and inquiry by the Board, and your past driving record with this department, I fully concur with the Board's recommended penalty of a three (3) working days suspension.

Therefore, you are **suspended** from the New Orleans Police Department for **three (3) working days**, effective the week of **Sunday, March 27, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.

Additionally, as part of your penalty, you are ordered to attend an Accident Avoidance Training Course at the Education and Training Division (East) as per Chapter 33.4 of the NOPD operations manual. You will be notified by the Education and Training Division as to the date and time of such course. If you do not attend the Accident Avoidance Training Course on the date and time scheduled by the Education and Training Division, you will not be allowed to operate any department vehicle until such time as you successfully complete the Accident Avoidance Training Course.

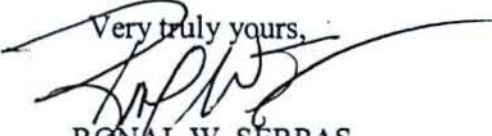
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Bridges  
A.R.B. #09-087  
Page 4 of 4

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Very truly yours,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Division  
NOPD Credit Union  
Bureau Chief, Operation Bureau  
Education and Training Division  
Commanding Officer, Fifth Division  
Technical and Support Bureau - Traffic Accident Review Board  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

REF: 27051AA  
A.R.B. # 09-087

Police Officer Jeraire Bridges  
SS# [REDACTED]  
Fifth District  
New Orleans Police Department

Officer Bridges,

The Traffic Accident Review Board conducted an administrative inquiry into alleged violations by you of departmental defensive driving techniques and/or the traffic laws of the City of New Orleans and the State of Louisiana. During that inquiry you were given the opportunity to present any witnesses, independent evidence, or mitigating circumstances that may have lessened your culpability. The Board has submitted to my office for the determination of final disciplinary action a report of their findings from that inquiry held on, Tuesday, April 20, 2010.

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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 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:

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- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)

After a thorough review of the accident, the subsequent investigation and inquiry by the Board, and your past driving record with this department, I fully concur with the Board's recommended penalty of a three (3) working days suspension.

Therefore, you are **suspended** from the New Orleans Police Department for **three (3) working days**, effective the week of **Sunday, March 27, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.

Additionally, as part of your penalty, you are ordered to attend an Accident Avoidance Training Course at the Education and Training Division (East) as per Chapter 33.4 of the NOPD operations manual. You will be notified by the Education and Training Division as to the date and time of such course. If you do not attend the Accident Avoidance Training Course on the date and time scheduled by the Education and Training Division, you will not be allowed to operate any department vehicle until such time as you successfully complete the Accident Avoidance Training Course.

You are advised that you 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. Refer to the New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Service Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

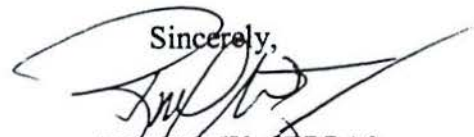


Bagneris  
P.I.B. #10-1203R  
Page 4 of 4

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Seventh District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Technician Tanesha Sanetmore  
SS# [REDACTED]  
Crime Lab, ISB  
New Orleans Police Department

RE: P.I.B. Case # 2010-0124C

Officer Santemore,

An administrative investigative report alleging violations of Rules and/or Procedures, regarding New Orleans Police Department Operations Manual, Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: 17271 MCS 54-96 Relative to Simple Battery and Rule 3: Professional Conduct, paragraph 1 - Professionalism, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Daniel Wharton, assigned to the Public Integrity Bureau.

The investigation has determined that on Sunday, January 31, 2010, at or approximately 12:00a.m., you engaged in a fight with citizen, Ms. Tawina Magee, without any provocation. The investigator concluded that you attacked Ms. Magee first from the rear. Additionally, a witness stated that you attacked Ms. Magee by striking her first, as such you are in violation of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: 17271 MCS 54-96 Relative to Simple Battery.

Also, you acted in an unprofessional manner by fighting with Ms. Magee who has knowledge of your employment as a member of the New Orleans Police Department. You did not conduct yourself in a manner equal to the standards established in Departmental policy which is a violation of Rule 3: Professional Conduct, paragraph 1 - Professionalism.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Assistant Superintendent Kirk M. Bouyelas, of the Investigation & Support Bureau, on Wednesday, December 15, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.



Assistant Superintendent Bouyelas has recommended the following dispositions and penalties for the following violations.

Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: 17271 MCS 54-96 Relative to Simple Battery: Sustained, ten (10) working days suspension.

Rule 3: Professional Conduct, paragraph 1 – Professionalism: Sustained, one (1) day suspension.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: 17271 MCS 54-96 Relative to Simple Battery, and Rule 3: Professional Conduct, paragraph 1 – Professionalism.

These Rules reads as follows:

## **RULE 2 MORAL CONDUCT**

### **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 of this rule.

**Applicable Law:** Adherence to Law to wit: Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: 17271 MCS 54-96 Relative to Simple Battery.

Battery is the intentional use of force or violence upon the person of another; or the intentional administration of a poison or other noxious liquid or substance to another.

## **RULE 3 PROFESSIONAL CONDUCT**

### **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 Police Department.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)

Additionally, I approve the penalty recommended by Assistant Superintendent Bouyelas. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violations, you are hereby notified that for the **sustained** violations of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: 17271 MCS 54-96 Relative to Simple Battery and Rule 3: Professional Conduct, paragraph 1 - Professionalism, you are **suspended** from the New Orleans Police Department for **eleven (11) working days**, effective the week of **Sunday, April 3, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.



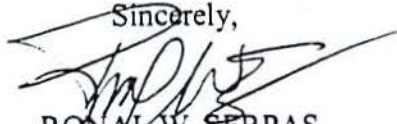
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P.I.B. # 2010-0124C  
Page 4 of 4

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Investigation & Support Bureau  
Commander, Crime Lab  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SER  
SUPERINTENDE

March 16, 2011

OUR REF: 27051 AA

Police Dispatcher Qvonda Blackwell-Taylor  
SS# [REDACTED]  
Communications Division  
New Orleans Police Department

RE: P.I.B. Case # 2010-0625R

Dispatcher Blackwell-Taylor,

An administrative investigative report alleging a violation of Departmental Rule and/or Procedure regarding New Orleans Police Department Operations Manual, Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Assistant Police Communications Supervisor (APCS) Annie Lockett, assigned to the Communications Division.

This investigation determined that on Wednesday, May 5, 2010, at about 3:49a.m., you were observed sleeping on duty at the console position. You were inattentive to your duties which could have resulted in you not being able to assist police officers effectively and efficiently. As such, you neglected your duties and responsibilities which is a violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Bruce E. Adams, on Friday, November 5, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Adams has recommended the following disposition and penalty for the sustained violation.

Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty: Sustained, Letter of Reprimand



After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty. This Rule read as follows:

**RULE 4 PERFORMANCE OF DUTY**

**4. Neglect of Duty**

a. Each employee, because of his grade and assignment, is required to perform certain duties and assume certain responsibilities. An employee's failure to properly function in either or both of these areas constitutes a neglect of duty.

**5. Unauthorized sleeping on duty.**

Moreover, your conduct is contrary to the standards as prescribed by Rule IX, Section I., paragraph I.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**

I.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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine

(as amended June 10, 1982, effective June 10, 1982)

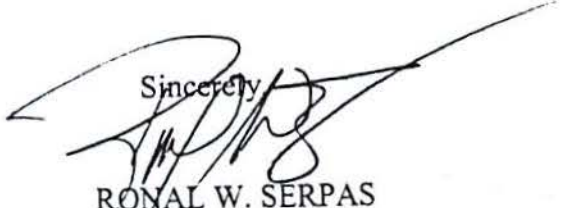
Blackwell-Taylor  
P.I.B. #10-0625R  
Page 3 of 3

Additionally, I approve the disposition and penalty recommended by Captain Adams. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty, you are discipline with a **Letter of Reprimand**. This letter shall serve as your official Letter of Reprimand.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,

  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Communications Division  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Terrell James  
SS# [REDACTED]  
Eighth District  
New Orleans Police Department

RE: P.I.B. Case # 2010-1115R

Officer James,

An administrative investigative report alleging violations of a Departmental Rule and/or Procedure, regarding Rule 3: Professional Conduct, paragraph 1, Professionalism, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Sergeant Ernest Luster, assigned to the Eighth District.

This investigation determined that on Thursday, August 12, 2010, at about 5:02p.m, Captain Edwin C. Hosli Jr., Commander of the Eighth District, received an email from Mr. Peter Jungena regarding New Orleans Police Department marked police unit #823. The vehicle was occupied by you and you were observed sleeping behind the steering wheel of the vehicle at the location of Saint Charles Avenue and Julia Streets. Several photographs were snapped of you sleeping while you worked at paid detail. The photographs revealed that you failed to be alert on a detail and during the time the photographs were taken. The photographs also prove that your eyes were closed while sitting in a police vehicle. Such action brought discredit to you as a member of the New Orleans Police Department and the Department which is a violation of Rule 3: Professional Conduct, paragraph 1, Professionalism.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Hosli, of the Eighth District, on Tuesday, November 30, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Additionally, I approve the penalty recommended by Captain Hosli. 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 that for the **sustained** violation of Rule 3: Professional Conduct, paragraph 1, Professionalism, Category 2, you are **suspended** from the New Orleans Police Department for **three (3) working days**, effective the week of **Sunday, March 27, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,  
  
ROMAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Eighth District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

REF: 27051AA  
A.R.B. # 09-087

Police Officer Jeraire Bridges  
SS# [REDACTED]  
Fifth District  
New Orleans Police Department

Officer Bridges,

The Traffic Accident Review Board conducted an administrative inquiry into alleged violations by you of departmental defensive driving techniques and/or the traffic laws of the City of New Orleans and the State of Louisiana. During that inquiry you were given the opportunity to present any witnesses, independent evidence, or mitigating circumstances that may have lessened your culpability. The Board has submitted to my office for the determination of final disciplinary action a report of their findings from that inquiry held on, Tuesday, April 20, 2010.

That inquiry determined that on Monday, September 28, 2009, at approximately 4:17p.m., while on duty and driving New Orleans Police Department vehicle APOL #08140, you were involved in a traffic accident at the location of the intersection of North Roman Street and Mandeville Street, which was reported under New Orleans Police Department Item number I-39374-09. You were operator of vehicle one while stopped for the stop sign, you looked in both directions and pulled forward to execute a right turn onto North Roman Street. You observed vehicle number two approaching from your right and steered left to avoid the crash, but were struck by vehicle two. After impact, you lost control of vehicle one and crashed into the residence of 1900 Manderville Street. At the time of the accident you were responding to a 10-28, under item number I-39374-09.

Traffic Investigator, Officer Lucian Sunseri, interviewed operator of vehicle two, Ms. Cynthia Murphy, who stated operator of vehicle one disregarded the stop sign and pulled out onto North Roman Street directly into her path of travel. After reviewing the facts and circumstances of the accident, the Board concluded that this accident was avoidable in that you were in violation of 17271 MCS Chapter 154, Section 400 relative to Reasonable Vigilance.

This accident/incident, as outlined above, has been classified by the Board as Category B2, Chart 3, Preventable/Line of Duty/Chargeable, that is, the operator share a portion or all the responsibility for the accident/incident, when responding to an emergency call and disregarded traffic laws, safe driving practices, or department regulations governing motor vehicles. The severity of the incident is considered by the Board to be major in nature.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)



After a thorough review of the accident, the subsequent investigation and inquiry by the Board, and your past driving record with this department, I fully concur with the Board's recommended penalty of a three (3) working days suspension.

Therefore, you are **suspended** from the New Orleans Police Department for **three (3) working days**, effective the week of **Sunday, March 27, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.


Additionally, as part of your penalty, you are ordered to attend an Accident Avoidance Training Course at the Education and Training Division (East) as per Chapter 33.4 of the NOPD operations manual. You will be notified by the Education and Training Division as to the date and time of such course. If you do not attend the Accident Avoidance Training Course on the date and time scheduled by the Education and Training Division, you will not be allowed to operate any department vehicle until such time as you successfully complete the Accident Avoidance Training Course.

You are advised that you 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. Refer to the New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Service Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

Bridges  
A.R.B. #09-087  
Page 4 of 4

Additionally, you are advised that any future violations of a similar nature will result in far more severe disciplinary action. A copy of this disciplinary letter will be retained in your personnel file.

Very truly yours,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Division  
NOPD Credit Union  
Bureau Chief, Operation Bureau  
Education and Training Division  
Commanding Officer, Fifth Division  
Technical and Support Bureau - Traffic Accident Review Board  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Dispatcher Rhonda Cannon  
SS# [REDACTED]  
Communications Division  
New Orleans Police Department

RE: P.I.B. Case # 2010-0641R

Dispatcher Cannon,

An administrative investigative report alleging a violation of Departmental Rule and/or Procedure regarding New Orleans Police Department Operations Manual, Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Assistant Police Communications Supervisor (APCS) Cheryl Jacobs, assigned to the Communications Division.

This investigation determined that on Saturday, May 8, 2010, at about 3:55a.m., you were observed sleeping on duty at the console position. Your eyes were closed which prevented you from seeing incoming Calls for Service. APCS Jacobs had to tap you on your shoulder to get your attention. You were inattentive to your duties which could have resulted in you not being able to assist police officers effectively and efficiently. As such, you neglected your duties and responsibilities which is a violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Bruce E. Adams, on Friday, November 5, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Adams has recommended the following disposition and penalty for the sustained violation.

Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty: Sustained, Letter of Reprimand

After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty. This Rule read as follows:

**RULE 4 PERFORMANCE OF DUTY**

**4. Neglect of Duty**

a. Each employee, because of his grade and assignment, is required to perform certain duties and assume certain responsibilities. An employee's failure to properly function in either or both of these areas constitutes a neglect of duty.

5. Unauthorized sleeping on duty.

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 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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine

(as amended June 10, 1982, effective June 10, 1982)

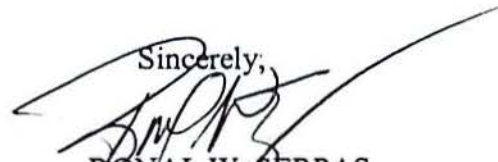


Cannon  
P.I.B. #10-0641R  
Page 3 of 3

Additionally, I approve the disposition and penalty recommended by Captain Adams. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 4a – Neglect of Duty, paragraph 5, Unauthorized sleeping on duty, you are discipline with a **Letter of Reprimand**. This letter shall serve as your official Letter of Reprimand.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag  
cc: Department of City Civil Service  
NOPD Personnel Office  
Field Operations Bureau  
Commander, Communications Division  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

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RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Jason Berger  
SS# [REDACTED]  
Third District  
New Orleans Police Department

RE: P.I.B. Case # 2009-1004R

Officer Berger,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding Rule 4: Performance of Duty, paragraph 4, Neglect of Duty to wit: Chapter 71.1 – Prisoner Transportation, paragraph 34, Escape of a prisoner, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Mark McCourt, assigned to the Third District.

This investigation determined that on Wednesday, September 16, 2009, at approximately 8:20p.m., while at 4650 Paris Avenue you left a prisoner unattended in your assigned police vehicle's rear seat and the prisoner to escaped from your custody. You neglected to take reasonable security measures to prevent the prisoner from escaping. In your administrative statement you admitted that you left the prisoner unattended in the police vehicle. As such, you violated Rule 4: Performance of Duty, paragraph 4, Neglect of Duty to wit: Chapter 71.1 – Prisoner Transportation, paragraph 34.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Major Gregory B. Elder, Commander of the Third District, on Tuesday, December 15, 2009. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outline.

Major Elder has recommended the following disposition and penalty for the sustained violation.

Rule 4: Performance of Duty, paragraph 4, Neglect of Duty to wit: Chapter 71.1 – Prisoner Transportation, paragraph 34: Sustained, fifteen (15) working days suspension.



After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 4, Neglect of Duty to wit: Chapter 71.1 – Prisoner Transportation, paragraph 34.

This Rule reads as follows:

**RULE 4 PERFORMANCE OF DUTY**

**4. Neglect of Duty**

- a. Each employee, because of his grade and assignment, is required to perform certain duties and assume certain responsibilities. An employee's failure to properly function in either or both of these areas constitutes a 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 and Procedures.
- c. The following acts or omissions to act, although not exhaustive, are considered neglect of duty:
  1. Failing to take appropriate and necessary police action;
  2. Failing to respond to all assignments promptly and failing to report dispositions of assignments to the dispatcher immediately upon completion.
  3. Failing to advise the dispatcher on each occasion of his absence from the patrol vehicle (except for signal 10-42) and the reason therefore; and failing to report his/her return to his vehicle.
  4. Failing to make a written report when such is indicated;
  5. Unauthorized sleeping on duty;
  6. Failing to comply with instructions, oral or written, from any authoritative source;
  7. Failing to take necessary actions so as to insure that a prisoner shall not escape as a result of carelessness or neglect;
  8. Failing to thoroughly search for, collect, preserve, and identify evidence in an arrest or investigative situation;
  9. Failing to insure that the health, welfare, and property of a prisoner is properly maintained while in individual custody;
  10. Failing to properly care for vehicles and other equipment used wherein damage results from carelessness or neglect;
  11. Failing to take appropriate action as to illegal activity, including vice and gambling violations, and/or to make a written report of the same to his/her commanding officer.

**Applicable Chapter: Chapter 71.1 Prisoner Transportation, paragraph 34.**

34. Transporting officers are responsible for taking reasonable security measures to minimize the chances for a prisoner to escape from police custody. In the event an escape occurs, the following measures will be taken:

- a. immediately notify the Police Dispatcher, broadcasting a description of the subject, direction of flight, and why the prisoner was detained or arrested;
- b. notify immediate supervisor;
- c. request additional police personnel to assist in a search for the fugitive
- d. prepare incident report (responsibility of platoon supervisory personnel) and necessary warrant (responsibility of transporting officer); and
- e. prepare and send a teletype bulletin.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)



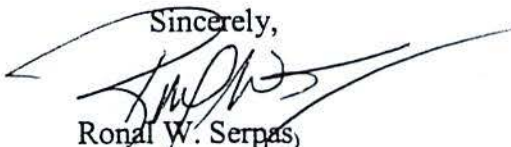
Additionally, I approve the penalty recommended by Major Elder. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 4, Neglect of Duty to wit: Chapter 71.1 – Prisoner Transportation, paragraph 34, you are **suspended** from the New Orleans Police Department for **fifteen (15) working days**, effective **Sunday, March 27, 2011**. This is your **Second Offense** of a violation of Performance of Duty rule within a twenty-four (24) month period from the date of the current rule violated. This penalty is also based on NOPD Chapter 26.2 Disciplinary Hearing/Penalties which establishes penalty schedule guidelines for progressive discipline. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 565-6515, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



Ronald W. Serpas  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Third District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPAS  
SUPERINTENDENT

March 25, 2011

OUR REF: 27051 AA

Police Officer Thomas McMasters  
SS# [REDACTED]  
Eighth District  
New Orleans Police Department

RE: P.I.B. Case # 2009-1315C

Officer McMasters,

An administrative investigative report alleging violations of Rules and/or Procedures, regarding New Orleans Police Department Operations Manual; Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment, Rule 2: Moral Conduct, paragraph 3, Truthfulness, subparagraph c, Rule 4: Performance of Duty, paragraph 4, Neglect of Duty, subparagraph C1, and Rule 6: Official Information, paragraph 2, False or Inaccurate Reports, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Jenerio Sanders, assigned to the Public Integrity Bureau.

The investigation has determined that on Sunday, November 8, 2009, at approximately 2:00a.m., while assigned to the Eighth District, you and your partner, Officer Beau Gast intentionally and falsely arrested citizens, Quanetia Davis and Kyana Boykins for prostitution loitering, without legal authority. You admitted that you were aware an individual needed to have a conviction within the previous year, with the present knowledge of the arresting officer of soliciting for prostitution, prostitution, or a crime against nature. As such, you violated Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment.

During the incident, you failed to take the appropriate action when you arrested the individuals and failed to check their names via NOPD MOTION to determine whether the individuals were in violation of the law. You admitted that you did not check or verify the arrested individuals name to determine whether they had a previous prostitution arrest conviction, of which they did not. Your neglect is a violation of Rule 4: Performance of Duty, paragraph 4, Neglect of Duty, subparagraph C1.



When you completed affidavit # E46262 for the arrest of Ms. Boykins, you listed Officer Marschall Scallan working as an undercover officer on November 8, 2009, at 2:00am. You documented on the affidavit that, "Arrested subject was observed by Officer Scallan approaching and stopping several males and in the 200 block of Bourbon arrested subject approached undercover but turned and walked away when she observed arresting officer approaching". However, Officer Scallan was working in uniform and not working undercover on that particular date. You documented false or inaccurate information on the affidavit, which is a violation of Rule 6: Official Information, paragraph 2, False or Inaccurate Reports.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Deputy Superintendent Marlon A. Defillo, of the Field Operations Bureau, on Wednesday, March 16, 2011. Deputy Superintendent Defillo did not render a recommendation in the matter but deferred the matter until Wednesday, March 23, 2011.

On Wednesday, March 23, 2011, Deputy Superintendent Defillo re-convened the hearing and recommended the following dispositions and penalties for the following violations to the Superintendent's Office.

Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment: Sustained, Sustained, fifty (50) working day suspension.

Rule 2: Moral Conduct, paragraph 3, Truthfulness, subparagraph c: Not Sustained.

Rule 4: Performance of Duty, paragraph 4, Neglect of Duty, subparagraph C1: Sustained, ten (10) day suspension, Category 2.

Rule 6: Official Information, paragraph 2, False or Inaccurate Reports: Sustained, ten (10) day suspension, Category 2.

After a thorough and complete review of the entire investigative report, I concur with Deputy Superintendent Defillo's recommendation on violations of Rule 2: Moral Conduct, paragraph 3, Truthfulness, subparagraph c, Rule 4: Performance of Duty, paragraph 4, Neglect of Duty, subparagraph C1 Category 2, and Rule 6: Official Information, paragraph 2, False or Inaccurate Reports, Category 2. However, I do not concur with his recommendation that you are only disciplined with a fifty (50) day suspension for violation of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment. I find that your conduct, as outlined above, constitutes a sustained violation of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment, therefore, you are **dismissed** from the New Orleans Police Department.

These Rules reads as follows:

## **RULE 2 MORAL CONDUCT**

### **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 of this rule.

**Applicable Law:** Adherence to Law, to wit: Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment.

- (a) It shall be unlawful for any person to commit the crime of false imprisonment.
  - (b) False imprisonment is the intentional confinement or detention of another, without his consent and without proper legal authority.
  - (c) Whoever commits the crime of false imprisonment shall be fined not more than \$200.00, or imprisoned for not more than six months, or both.
- (Code 1956, 42-29)

## **RULE 3 PERFORMANCE OF DUTY**

### **4. Neglect of Duty, subparagraph C1**

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

- 1. Failing to take appropriate and necessary police action.

## **RULE 6 OFFICIAL INFORMATION**

### **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.

Moreover, your conduct is contrary to the standards as prescribed by Rule IX, Section I., paragraph I.I, 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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

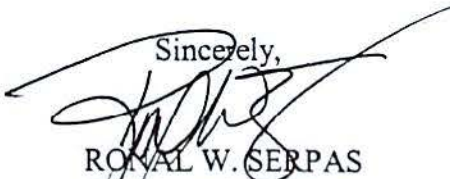
(as amended June 10, 1982, effective June 10, 1982)

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violations, you are hereby notified that for the **sustained** violations of Rule 4: Performance of Duty, paragraph 4, Neglect of Duty, subparagraph C1, Category 2 and Rule 6: Official Information, paragraph 2, False or Inaccurate Reports, Category 2, you are **suspended** from the New Orleans Police Department for **twenty (20) working days**. For the **sustained** violation of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment, you are **dismissed** from the New Orleans Police Department, effective **Friday, March 25, 2011**.

Penalties classified as a Category 2 are within the Penalty Schedule Guidelines of Chapter 26.2 Disciplinary Hearing/Penalties. Due to your dismissal you were unable to serve the twenty (20) working days suspension in this matter. Pending any appeals that might result in you being reinstated as a member of the Department you must serve to twenty (20) day suspension for the sustained violations.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

You may be entitled to a refund of pension accumulations, sick and or annual leave payments and COBRA continuation of hospitalization coverage. You should contact the New Orleans Police Department Human Resource Management Division for information on the status of any fringe and retirement benefits due to you. Also, a copy of this letter will be retained in your personal file.

Sincerely,  
  
ROYAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Investigation & Support Bureau  
Commander, Eighth District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPAS  
SUPERINTENDENT

March 25, 2011

OUR REF: 27051 AA

Police Officer Beau Gast  
SS# [REDACTED]  
Second District  
New Orleans Police Department

RE: P.I.B. Case # 2009-1315C

Officer Gast,

An administrative investigative report alleging violations of Rules and/or Procedures, regarding New Orleans Police Department Operations Manual; Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment, Rule 2: Moral Conduct, paragraph 3, Truthfulness, subparagraph c, Rule 4: Performance of Duty, paragraph 4, Neglect of Duty, subparagraph C1, and Rule 6: Official Information, paragraph 2, False or Inaccurate Reports, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Jenerio Sanders, assigned to the Public Integrity Bureau.

The investigation has determined that on Sunday, November 8, 2009, at approximately 2:00a.m., while assigned to the Eighth District, you and your partner, Officer Thomas McMasters intentionally and falsely arrested citizens, Quanetia Davis and Kyana Boykins for prostitution loitering, without legal authority. You admitted that you were aware an individual needed to have a conviction within the previous year, with the present knowledge of the arresting officer of soliciting for prostitution, prostitution, or a crime against nature. As such, you violated Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment.

During the incident, you failed to take the appropriate action when you arrested the individuals and failed to check their names via NOPD MOTION to determine whether the individuals were in violation of the law. You admitted that you did not check or verify the arrested individuals name to determine whether they had a previous prostitution arrest conviction, of which they did not. Your neglect is a violation of Rule 4: Performance of Duty, paragraph 4, Neglect of Duty, subparagraph C1.

When you completed affidavit # E46262 for the arrest of Ms. Davis, you listed Officer Marschall Scallan working as an undercover officer on November 8, 2009, at 2:00am. You documented on the affidavit that, "Arrested subject was observed by Officer Scallan approaching and stopping several males and in the 200 block of Bourbon arrested subject approached undercover but turned and walked away when she observed arresting officer approaching". However, Officer Scallan was working in uniform and not working undercover on that particular date. You documented false or inaccurate information on the affidavit, which is a violation of Rule 6: Official Information, paragraph 2, False or Inaccurate Reports.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Deputy Superintendent Marlon A. Defillo, of the Field Operations Bureau, on Wednesday, March 16, 2011. Deputy Superintendent Defillo did not render a recommendation in the matter but deferred the matter until Wednesday, March 23, 2011.

On Wednesday, March 23, 2011, Deputy Superintendent Defillo re-convened the hearing and recommended the following dispositions and penalties for the following violations to the Superintendent's Office.

Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment: Sustained, Sustained, fifty (50) working day suspension.

Rule 2: Moral Conduct, paragraph 3, Truthfulness, subparagraph c: Not Sustained.

Rule 4: Performance of Duty, paragraph 4, Neglect of Duty, subparagraph C1: Sustained, ten (10) working day suspension, Category 2.

Rule 6: Official Information, paragraph 2, False or Inaccurate Reports: Sustained, ten (10) working day suspension, Category 2.

After a thorough and complete review of the entire investigative report, I concur with Deputy Superintendent Defillo's recommendation on violations of Rule 2: Moral Conduct, paragraph 3, Truthfulness, subparagraph c, Rule 4: Performance of Duty, paragraph 4, Neglect of Duty, subparagraph C1 Category 2, and Rule 6: Official Information, paragraph 2, False or Inaccurate Reports, Category 2. However, I do not concur with his recommendation that you are only disciplined with a fifty (50) day suspension for violation of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment. I find that your conduct, as outlined above, constitutes a sustained violation of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment, therefore, you are **dismissed** from the New Orleans Police Department.



These Rules reads as follows:

## **RULE 2 MORAL CONDUCT**

### **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 of this rule.

**Applicable Law:** Adherence to Law, to wit: Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment.

- (a) It shall be unlawful for any person to commit the crime of false imprisonment.
  - (b) False imprisonment is the intentional confinement or detention of another, without his consent and without proper legal authority.
  - (c) Whoever commits the crime of false imprisonment shall be fined not more than \$200.00, or imprisoned for not more than six months, or both.
- (Code 1956, 42-29)

## **RULE 3 PERFORMANCE OF DUTY**

### **4. Neglect of Duty, subparagraph C1**

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

- 1. Failing to take appropriate and necessary police action.

## **RULE 6 OFFICIAL INFORMATION**

### **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.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)

Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violations, you are hereby notified that for the **sustained** violations of Rule 4: Performance of Duty, paragraph 4, Neglect of Duty, subparagraph C1, Category 2 and Rule 6: Official Information, paragraph 2, False or Inaccurate Reports, Category 2, you are **suspended** from the New Orleans Police Department for **twenty (20) working days**. For the **sustained** violation of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: MCS 17271: 54-99 False Imprisonment, you are **dismissed** from the New Orleans Police Department, effective **Friday, March 25, 2011**.

Penalties classified as a Category 2 are within the Penalty Schedule Guidelines of Chapter 26.2 Disciplinary Hearing/Penalties. Due to your dismissal you were unable to serve the twenty (20) working days suspension in this matter. Pending any appeals that might result in you being reinstated as a member of the Department you must serve to twenty (20) day suspension for the sustained violations.



Gast


P.I.B. # 2009-1315C

Page 5 of 5

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

You may be entitled to a refund of pension accumulations, sick and or annual leave payments and COBRA continuation of hospitalization coverage. You should contact the New Orleans Police Department Human Resource Management Division for information on the status of any fringe and retirement benefits due to you. Also, a copy of this letter will be retained in your personal file.

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Investigation & Support Bureau  
Commander, Eighth District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Jacob Lundy  
[REDACTED]

Second District  
New Orleans Police Department

RE: P.I.B. Case # 10-1165R

Officer Lundy,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding New Orleans Operations Manual; Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Lieutenant Robert Laporte, assigned to the Second District.

This investigation determined that on Friday, August 20, 2010, at about 9:00a.m., you failed to appear in Criminal District Court, Section "C". Lastly, you failed to contact CDC, Section "C" to inform the Judge of your inability to attend the required court hearing. You admitted that you did not appear at your scheduled court date. As such, you violated Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit Chapter 74.3 Mandatory Tribunal Attendance.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Darryl Albert, the Commander of Second District, on Thursday, December 9, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Albert has recommended a sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source, to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance and further recommended that you receive a one (1) working day suspension, Category 1.



After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1.

This Rule reads as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

##### **Applicable Chapter:**

##### **Chapter 74.3 relative to Mandatory Tribunal Attendance**

1. Attendance at any City, State, Federal, or Civil Court and any Administrative Hearing shall be mandatory under the following conditions:
  - a. under subpoena or order of Instanta,
  - b. upon notification via department teletype,
  - c. under orders of a ranking officer or an employee of the Court,
  - d. upon receipt of a written or verbal notice from the City Attorney's or District Attorney's offices.
5. Employees who have been served with a subpoena and for a valid reason cannot appear shall contact the appropriate court section and inform the Judge of their inability to attend.
6. Employees who fail to comply with policies established in this Chapter after having been properly notified shall be subject to disciplinary action.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.  
(as amended June 10, 1982, effective June 10, 1982)



Lundy  
P.I.B. #10-1165R  
Page 4 of 4

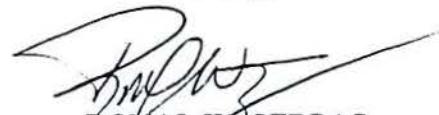
Additionally, I approve the penalty recommended by Captain Albert. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1, you are **suspended** from the New Orleans Police Department for **one (1) working day**, effective the week of **Sunday, March 27, 2011**. The actual starting date of your suspension during that week is at the discretion of your Commander.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that if you are suspended, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Second District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERP  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Bryan Mulvey

[REDACTED]  
Second District  
New Orleans Police Department

RE: P.I.B. Case # 2010-0870C

Officer Mulvey,

An administrative investigative report alleging a violation of Departmental Rules and/or Procedures regarding New Orleans Police Department Operations Manual, Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, paragraph c8, failing to thoroughly search for, collect, preserve and identify evidence in an arrest or investigative situation, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Andre LaBlanc, assigned to the Public Integrity Bureau.

This investigation determined that on Saturday, May 1, 2010, you failed to properly investigate a complaint of a runaway juvenile. The complainant provided you with important detail information concerning the runaway juvenile. You admitted in your administrative statement that you received the information but you did not believe the information had any significance to the investigation. Additionally, you elected not to do anything with the information because it was near the end of your tour of duty. As such, you violated Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, c8, failing to thoroughly search for, collect, preserve and identify evidence in an arrest or investigative situation.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Darryl Albert, on Monday, December 13, 2010, Commander of the Second District. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Albert has recommended the following disposition and penalty for the sustained violation.

Rule 4: Performance of Duty, paragraph 4, Neglect of Duty, c8: Sustained, four (4) day suspension, Category 1, Second Offense.



After a thorough and complete review of the entire investigation report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, c8, Category 1, Second Offense. This Rule read as follows:

**RULE 4 PERFORMANCE OF DUTY**

**4. Neglect of Duty**

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

8. Failing to thoroughly search for, collect, preserve and identify evidence in an arrest or investigative situation.

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:

- (1) removal from the service.
  - (2) involuntary retirement.
  - (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
  - (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
  - (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
  - (6) fine
- (as amended June 10, 1982, effective June 10, 1982)


Mulvey  
P.I.B #10-0870C  
Page 3 of 3

Additionally, I approve the penalty recommended by Captain Albert. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 4 – Neglect of Duty, c8, **Category 1, Second Offense**, you are **suspended** from the New Orleans Police Department for **four (4) working days**, effective the week of **Sunday, March 27, 2011**. This suspension is based on this is your **Second Offense** of a Rule 4: Performance of Duty within a twenty four (24) month period as outlined in NOPD Chapter 26.2 Disciplinary Hearing/Penalties establishes penalty guidelines for progressive discipline. The actual starting day of your suspension during that week is at the discretion of your Commander. Your two (2) AWP days are not counted as suspension days. This suspension is to run without interruption.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag  
cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Second District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Cory Clark  
[REDACTED]

Fourth District  
New Orleans Police Department

RE: P.I.B. Case # 10-0095R Amended Letter

Officer Clark,

This is an amended disciplinary letter to the letter dated to you on December 29, 2010, which you were scheduled to serve a one (1) working day suspension, on January 16, 2011. You were unable to serve the suspension day due to your Injured on Duty (IOD) status during the suspension date. You are now in a regular working duty status and your new scheduled suspension date is as outlined on page four (4).

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Kendrick Allen, assigned to the Fourth District.

This investigation determined that on Tuesday, January 26, 2010, at about 9:00a.m., you failed to appear in Criminal District Court, Section "A", under case number 491-3191. You admitted that you received the electronic subpoena via email "Court Notify" and acknowledged your date to attend court. Lastly, you failed to contact CDC, Section "B" to inform the Judge of your inability to attend the required court hearing. Your failure to appear for the scheduled court date constitutes a violation of Department Rules pertaining to Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit Chapter 74.3 Mandatory Tribunal Attendance.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain David Kirsch, the Commander of Fourth District, on September 22, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Kirsch has recommended a sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source, to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance and further recommended that you receive a one (1) working day suspension.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance.

This Rule reads as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

##### **Applicable Chapter:**

##### **Chapter 74.3 relative to Mandatory Tribunal Attendance**

1. Attendance at any City, State, Federal, or Civil Court and any Administrative Hearing shall be mandatory under the following conditions:
  - a. under subpoena or order of Instanta,
  - b. upon notification via department teletype,
  - c. under orders of a ranking officer or an employee of the Court,
  - d. upon receipt of a written or verbal notice from the City Attorney's or District Attorney's offices.



5. Employees who have been served with a subpoena and for a valid reason cannot appear shall contact the appropriate court section and inform the Judge of their inability to attend.
6. Employees who fail to comply with policies established in this Chapter after having been properly notified shall be subject to disciplinary action.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.  
(as amended June 10, 1982, effective June 10, 1982)

Clark  
P.I.B. #10-0095R  
Page 4 of 4

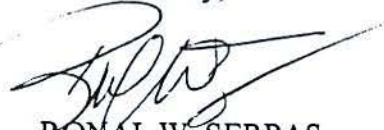
Additionally, I approve the penalty recommended by Captain Kirsch. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, you are **suspended** from the New Orleans Police Department for **one (1) working day**, effective the week of **Sunday, March 27, 2011**. The actual starting date of your suspension during that week is at the discretion of your Commander.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that if you are suspended, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Operations Bureau  
Commander, Fourth District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Rafael Dobard  
[REDACTED]

Fourth District  
New Orleans Police Department

RE: P.I.B. Case # 10-0943R

Officer Dobard,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding New Orleans Operations Manual; Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Henry Laurent and Sergeant Ronald Ruiz, assigned to the Fourth District.

This investigation determined that on Thursday, June 17, 2010, at 2:00p.m., the Office of Compliance, was notified by Assistance District Attorney Matthew Burke of Criminal District Court, Section "K" who reported that you failed to appear in Section "K", under case number 495-120 on Thursday, June 17, 2010, at about 9:00a.m. Documentation supports that you received the electronic subpoena via email "Court Notify" and acknowledged your date to attend court. Lastly, you failed to contact CDC, Section "K" to inform the Judge of your inability to attend the required court hearing. As such, you violated Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit Chapter 74.3 Mandatory Tribunal Attendance.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain David J. Kirsch, the Commander of Fourth District, on Wednesday, November 17, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Dobard  
P.I.B. #10-0943R  
Page 2 of 4

Captain Kirsch has recommended a sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source, to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance and further recommended that you receive a one (1) working day suspension, Category 1.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1.

This Rule reads as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

#### **Applicable Chapter:**

##### **Chapter 74.3 relative to Mandatory Tribunal Attendance**

1. Attendance at any City, State, Federal, or Civil Court and any Administrative Hearing shall be mandatory under the following conditions:
  - a. under subpoena or order of Instanta,
  - b. upon notification via department teletype,
  - c. under orders of a ranking officer or an employee of the Court,
  - d. upon receipt of a written or verbal notice from the City Attorney's or District Attorney's offices.



5. Employees who have been served with a subpoena and for a valid reason cannot appear shall contact the appropriate court section and inform the Judge of their inability to attend.
6. Employees who fail to comply with policies established in this Chapter after having been properly notified shall be subject to disciplinary action.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.  
(as amended June 10, 1982, effective June 10, 1982)

Dobard  
P.I.B. #10-0943R  
Page 4 of 4

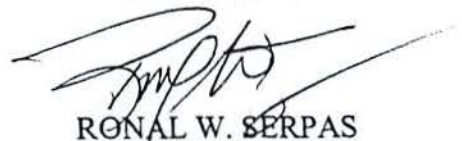
Additionally, I approve the penalty recommended by Captain Kirsch. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1, you are **suspended** from the New Orleans Police Department for **one (1) working day**, effective the week of **Sunday, March 27, 2011**. The actual starting date of your suspension during that week is at the discretion of your Commander.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that if you are suspended, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Fourth District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Carolyn Dalton

[REDACTED]  
Fifth District

New Orleans Police Department

RE: P.I.B. Case # 2010-1366R

Officer Dalton,

An administrative investigative report alleging violations of Departmental Rules and/or Procedure, regarding New Orleans Police Department Operations Manual, Rule 2: Moral Conduct, paragraph 2, Courtesy and Rule 3: Professional Conduct, paragraph 1, Professionalism, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Joseph Scanio, assigned to the Fifth District.

The investigation determined that on Friday, October 8, 2010, at approximately 3:05p.m., while off duty and attired in a New Orleans Police Department uniform you became involved in a verbal altercation with the cashier, Mr. Joseph Slieman, at the Chevron gas station located at 1610 Elysian Fields Avenue. You did not remain respectful towards the cashier, nor did you behave in a manner which expresses the utmost concern for his dignity. Additionally, you yelled, "Give me my fucking money before I lose my fucking job!" to the cashier in the presence of customers and a small child. As such, you violated Rule 2: Moral Conduct, paragraph 2, Courtesy and Rule 3: Professional Conduct, paragraph 1, Professionalism.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Deputy Superintendent Marlon A. Defillo, of the Field Operations Bureau, on Wednesday, January 12, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outline.

Deputy Superintendent Defillo has recommended the following dispositions and penalties for the sustained violations.

Rule 2: Moral Conduct, paragraph 2, Courtesy: Sustained, three (3) working days suspension.

Rule 3: Professional Conduct, paragraph 1, Professionalism: two (2) days suspension.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 2: Moral Conduct, paragraph 2, Courtesy and Rule 3: Professional Conduct, paragraph 1, Professionalism.

These Rules reads as follows:

## **RULE 2 MORAL CONDUCT**

### **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.

## **RULE 3 PROFESSIONAL CONDUCT**

### **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.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.




- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
  - (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
  - (6) fine.
- (as amended June 10, 1982, effective June 10, 1982)

Additionally, I approve the penalty recommended by Deputy Superintendent Defillo. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violations, you are hereby notified that for the **sustained** violations of Rule 2: Moral Conduct, paragraph 2, Courtesy and Rule 3: Professional Conduct, paragraph 1, Professionalism, you are **suspended** from the New Orleans Police Department for **five (5) working days**, effective **Sunday, March 27, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and two (2) AWP days are not counted as suspension day.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 565-6515, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Fifth Division  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*




RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer April Moses

  
Eighth Division  
New Orleans Police Department

RE: P.I.B. Case # 2010-0489C **Amended Letter**

Officer Moses,

This is an amended disciplinary letter to the letter dated to you on December 29, 2010, that scheduled you to serve a seventy (70) working day suspension effective January 9, 2011. You were unable to serve the suspension due to your working status as sick. Your new suspension date is outlined below.

An administrative investigative report alleging violations of Rules and/or Procedures, regarding New Orleans Police Department Operations Manual; Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: Revised Statute 14:133 Filing or Maintaining False Public Records, Rule 2: Moral Conduct, paragraph 3, Truthfulness and Rule 3: Professional Conduct, paragraph 1 - Professionalism, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Andre' LeBlanc, assigned to the Public Integrity Bureau.

The investigation has determined that on Tuesday, January 5, 2010, you filed an official reported to Sergeant Gregory Chiles that your boyfriend, Mr. Billy Howard punched you on your arms, legs, face and also dragged you by your hair, and neck. You also alleged that he forcibly removed your pants, choked and kicked you, and held you against your will for approximately thirty minutes.

On Wednesday, March 24, 2010, you submitted a sworn notarized letter to the District Attorney's Office retracting the statement you provided to Sergeant Chiles on January 5, 2010 and the affirmation you made to Assistant District Attorney Heather Holland on March 5, 2010. You admitted in your administrative statement that the incident report was factual and not the information contained in the letter or affidavit you submitted to the District Attorney's Office.



You admitted in your administrative statement that the incident report was factual and not the information contained in the letter or affidavit you submitted to the District Attorney's Office. In doing so you violated the Department's Truthfulness policy which requires you to be truthful at all times in spoken, written and electronic communications. You willfully and negligently made false and misleading information in the sworn notarized letter you submitted to the District Attorney's Office.

Your admission of submitting the sworn notarized letter to the District Attorney's Office, which was contradictory to the report you made to Sergeant Chiles. Your conduct damages your reputation and discredits yourself and the New Orleans Police Department. As such you violated Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: Revised Statute 14:133 Filing or Maintaining False Public Records, Rule 2: Moral Conduct, paragraph 3, Truthfulness and Rule 3: Professional Conduct, paragraph 1 - Professionalism.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Assistant Superintendent Marlon M. Defillo, of the Field Operations Bureau, on Wednesday, September 15, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Assistant Superintendent Defillo has recommended the following dispositions and penalties for the violations.

Rule 2: Moral Conduct, paragraph 1 - Adherence to Law, to wit: Revised Statute 14:133 Filing or Maintaining False Public Records: Sustained, thirty (30) working day suspension.

Rule 2: Moral Conduct, paragraph 3, Truthfulness: Sustained, thirty (30) working day suspension.

Rule 3: Professional Conduct, paragraph 1 - Professionalism. Sustained, ten (10) working day suspension.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: Revised Statute 14:133 Filing or Maintaining False Public Records, Rule 2: Moral Conduct, paragraph 3, Truthfulness and Rule 3: Professional Conduct, paragraph 1 - Professionalism.

These Rules reads as follows:

## **RULE 2 MORAL CONDUCT**

### **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 of this rule.

### **Applicable Law: Revised Statute 14:133 Filing or Maintaining False Public Records.**

A. Filing false public records is the filing or depositing for record in any public office or with any public official, or the maintaining as required by law, regulation, or rule, with knowledge of its falsity, of any of the following:

- (1) Any forged document.
- (2) Any wrongfully altered document.
- (3) Any document containing a false statement or false representation of a material fact.
- (b) The good faith inclusion of any item of cost on a Medical Assistance Program cost report which is later determined by audit to be non-reimbursable under state and federal regulations shall be an affirmative defense to a violation of this Section.

## **RULE 2 MORAL CONDUCT**

### **3. Truthfulness**

Employees are required to be truthful at all times, in their spoken, written, or electronic communications, whether under oath or not, in all matters and official investigations relating to the scope of their employment and operations of the Department.

- a. Employees shall truthfully state the facts in any oral, written, or electronic communications.
- b. Employees shall not willfully or negligently make any false, misleading, or incorrect oral, written, or electronic communication;
- c. Employees shall not willfully or negligently withhold relevant information of which they have knowledge, from any oral, written, or electronic communication;

d. employees shall truthfully answer all questions directed to them on the order of the Superintendent of Police, the Superintendent's designee, a superior officer, or any judicial, departmental, or other official investigative body. This regulation does not prohibit using accepted practices in interrogation techniques governed by Federal and/or State Court rulings.



### **RULE 3 PROFESSIONAL CONDUCT**

#### **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 Police Department.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)


Moses  
P.I.B. # 2010-0489C  
Page 5 of 5

Additionally, I approve the penalty recommended by Assistant Superintendent Defillo. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violations, you are hereby notified that for the **sustained** violation of Rule 2: Moral Conduct, paragraph 1 - Adherence to Law to wit: Revised Statute 14:133 Filing or Maintaining False Public Records, Rule 2: Moral Conduct, paragraph 3, Truthfulness and Rule 3: Professional Conduct, paragraph 1 - Professionalism, you are **suspended** from the New Orleans Police Department for **seventy (70) working days**, effective the week of, **Sunday, March 27, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,  
  
RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Division  
Commander, Eighth Division  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERP.  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Beau Gast  
[REDACTED]

Second District  
New Orleans Police Department

RE: P.I.B. Case # 2010-0337R **Amended Letter**

Officer Gast,

This is an amended disciplinary letter to the letter dated to you on December 29, 2010, in which you were scheduled to serve a one (1) working day suspension, effective Sunday, January 9, 2011. You were unable to serve the suspension day due to an approved extended leave period. That extension of leave was abbreviated and you are now in a regular working duty status. Your new suspension date is as outlined below.

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Christian Hart, assigned to the First District.

This investigation determined that on Wednesday, March 17, 2010, at about 4:30p.m., you failed to appear in Magistrate Court, Section "M-4". Lieutenant Joseph Meisch verified that you received the electronic subpoena via email "Court Notify". You admitted that you did not attend your scheduled court appearance. Lastly, you failed to contact CDC, Section "M-4" to inform the Judge of your inability to attend the required court hearing. Your failure to appear for the scheduled court date constitutes a violation of Department Rules pertaining to Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit Chapter 74.3 Mandatory Tribunal Attendance.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Major Robert Norton, the Commander of First District, on Wednesday, June 30, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Major Norton has recommended a sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance and further recommended that you receive a one (1) working day suspension.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance.

This Rule reads as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

#### **Applicable Chapter:**

##### **Chapter 74.3 relative to Mandatory Tribunal Attendance**

1. Attendance at any City, State, Federal, or Civil Court and any Administrative Hearing shall be mandatory under the following conditions:
  - a. under subpoena or order of Instanta,
  - b. upon notification via department teletype,
  - c. under orders of a ranking officer or an employee of the Court,
  - d. upon receipt of a written or verbal notice from the City Attorney's or District Attorney's offices.



5. Employees who have been served with a subpoena and for a valid reason cannot appear shall contact the appropriate court section and inform the Judge of their inability to attend.
6. Employees who fail to comply with policies established in this Chapter after having been properly notified shall be subject to disciplinary action.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.

(6) fine.

(as amended June 10, 1982, effective June 10, 1982)

Gast  
P.I.B. #10-0337R  
Page 4 of 4

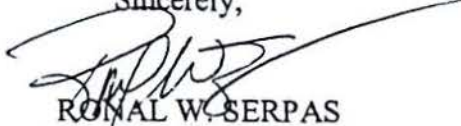
Additionally, I approve the penalty recommended by Major Norton. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, you are **suspended** from the New Orleans Police Department for **one (1) working day**, effective the week of **Sunday, March 27, 2011**. The actual starting date of your suspension during that week is at the discretion of your Commander. Your two (2) AWP days are not counted as suspension days.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that if you are suspended, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Second District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Beau Gast  
[REDACTED]

Second District  
New Orleans Police Department

RE: P.I.B. Case # 10-0942R

Officer Gast,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding New Orleans Operations Manual; Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance Second Offense, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Christian Hart, assigned to the Second District.

This investigation determined that on Wednesday June 16, 2010, at about 4:00p.m., Lieutenant Arden Taylor, of the Office of Compliance, was notified by Assistant District Attorney Jeffery Hufft that you failed to appear in Criminal District Court, Section "M-4", under case number 491-796 on Wednesday, June 16, 2010 at 4:00p.m. Documentation indicates that you were properly served the subpoena via electronic "Court Notify" system. Lastly, you failed to contact CDC, Section "M-4" to inform the Judge of your inability to attend the required court hearing. You admitted that you did not appear at your scheduled court date. As such, you violated Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit Chapter 74.3 Mandatory Tribunal Attendance, Second Offense.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Darryl Albert, the Commander of Second District, on Thursday, December 9, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Albert has recommended a sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source, to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance and further recommended that you receive a five (5) working day suspension, Second Offense.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Second Offense.

This Rule reads as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

#### **Applicable Chapter:**

##### **Chapter 74.3 relative to Mandatory Tribunal Attendance**

1. Attendance at any City, State, Federal, or Civil Court and any Administrative Hearing shall be mandatory under the following conditions:
  - a. under subpoena or order of Instanta,
  - b. upon notification via department teletype,
  - c. under orders of a ranking officer or an employee of the Court,
  - d. upon receipt of a written or verbal notice from the City Attorney's or District Attorney's offices.
5. Employees who have been served with a subpoena and for a valid reason cannot appear shall contact the appropriate court section and inform the Judge of their inability to attend.
6. Employees who fail to comply with policies established in this Chapter after having been properly notified shall be subject to disciplinary action.



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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.  
(as amended June 10, 1982, effective June 10, 1982)

Gast  
P.I.B. #10-0942R  
Page 4 of 4

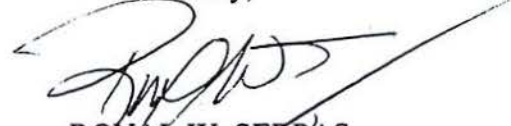
Additionally, I approve the penalty recommended by Captain Albert. Therefore, in light of the above investigation, a review of any disciplinary record and due to the nature of your violation, you are hereby notified that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, **Second Offense**, you are **suspended** from the New Orleans Police Department for **five (5) working day**, effective the week of **Sunday, April 3, 2011**. The actual starting date of your suspension during that week is at the discretion of your Commander. This penalty is based on this is your **Second Offense** of a violation of Rule 4: Performance of Duty within a twenty four (24) month period. The penalty is within the penalty schedule guidelines established in Chapter 26.2 Discipline Hearing/Penalties for progressive discipline. The actual starting date of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that if you are suspended, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Second District  
Public Integrity Bureau





MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERP  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Sergeant Ernest Crayton  
[REDACTED]

Fourth District  
New Orleans Police Department

RE: P.I.B. Case # 2009-1388R

Sergeant Crayton,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure regarding New Orleans Police Department Manual, Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 17.2 Departmental Property, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Lieutenant John Deshotel, assigned to the Fourth District, who recommended a disposition of Not Sustained for the violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 17.2 Departmental Property.

Deputy Superintendent Kirk M. Bouyelas, of the Operations Bureau received and reviewed the investigation submitted by Lieutenant Deshotel and did not concur with Lieutenant Deshotel's recommendation of Not Sustained. Deputy Superintendent Bouyelas submitted an Interoffice Correspondence, cover sheet dated March 9, 2010 and further recommended that you are Sustained for violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 17.2 Departmental Property, paragraphs 34 through 41.

This investigation determined that on November 24, 2009, you were assigned NOPD police Expedition unit (#420, BPOL#6007), which you failed to properly inspect and maintain as required. You were the last officer to use the vehicle on November 25, 2009, the night you shopped the vehicle at Equipment Maintenance Division for an acceleration and transmission problem. The mechanic repair order dated December 15, 2009, stated the check engine light was on and engine has no power. The mechanic at Lamarque Ford indicated that there was not oil on the dipstick, and the engine was knocking. The vehicle sustained over four thousand dollars (\$4000.00) in damage.



To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain David M. Kirsch, Commander of the Fourth District, on Wednesday, October 20, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Kirsch has recommended the following disposition and penalty for the sustained violation and forwarded the Disciplinary Hearing form to Deputy Superintendent Marlon A. Defillo, of the Field Operations Bureau, with a recommendation of:

Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 17.2 Departmental Property, paragraphs 34 through 41: Sustained, Letter of Reprimand.

Deputy Superintendent Defillo received and review the Hearing Disposition form with a recommended disposition and penalty and do not concur with Major Kirsch's recommendation that violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 17.2 Departmental Property, paragraphs 34 through 41, should only have a penalty of a Letter of Reprimand. Deputy Superintendent Defillo submitted an Interoffice Correspondence, cover sheet dated October 26, 2010, and further recommended that you are disciplined with a penalty of a **two (2) working days suspension** for the sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 17.2 Departmental Property, paragraphs 34 through 41.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 17.2 Departmental Property, paragraphs 34 through 41. This Rule reads as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.



**Applicable Chapter: Chapter 17.2 Departmental Property, paragraph 34 through 41.**

34. An employee assigned to operate a city vehicle shall ensure all equipment is properly maintained and in good running order. The quality operational condition of the vehicle directly reflects on the department's appearance; determines availability and efficiency of the department's fleet; and significantly contributes to employee safety.

35. Each employee assigned a department vehicle shall be responsible for inspecting and maintaining the basic factors necessary for safe vehicle operation. These include, but are not limited to:

- a. Fluid levels (oil, transmission, steering, brake, coolant)
- b. Tires/brakes (condition, spare tire availability)
- c. Hoses and belts (engine and seat belts)
- d. Electrical (lights, horn, battery, turn signals)
- e. Police emergency (radio, siren, spotlights, flashing lights, cage)
- f. Overall cleanliness (interior and exterior)

36. The assigned driver shall check the vehicle for these maintenance factors at the beginning of the shift/duty assignment. This operator shall also monitor the operation of the vehicle during the shift for any reductions in vehicle performance, unusual noise, or equipment failure that will require corrective maintenance or repair. This repair or corrective action shall be coordinated through the City of New Orleans "Equipment Maintenance Division" at the designated facility.

**VEHICLE INSPECTION REPORT**

37. The New Orleans Police Department "Pre-trip Vehicle Inspection Report" section of the Officer's Daily Activity Report shall be completed by the operator at the beginning of each shift/duty assignment for all vehicles that utilize a Daily Activity Report. Nothing in this procedure prohibits commanders from implementing the use of this form in assignments that do not normally utilize a Daily Activity Report.

38. The completed Daily Activity Report shall be submitted to the supervisor for approval at the end of the tour of duty. Each division shall be responsible for maintaining the filing of these forms.

**DAMAGE TO VEHICLES OR EQUIPMENT**

39. An employee who fails to report damage or malfunction of either the vehicle or its equipment shall be held accountable for the damage or malfunction.

40. Each employee assigned the use of a department vehicle shall check the vehicle for body damage and malfunctioning equipment at the beginning and end of their assignment.

41. If an employee discovers damage or malfunction during his inspection of the vehicle, the employee shall immediately notify his supervisor. The employee is also required to record any damage or malfunction on the N.O.P.D. "Pre-trip Vehicle Inspection Report" section of the Officer's Daily Activity Report.

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:

- (1) removal from the service.
- (2) involuntary retirement.
- (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
- (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
- (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (6) fine.

(as amended June 10, 1982, effective June 10, 1982)



Crayton  
P.I.B. #09-1388R  
Page 5 of 5

Additionally, I approve the penalty recommended by Deputy Superintendent Defillo. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 17.2 Departmental Property, paragraphs 34 through 41, you are **suspended** from the New Orleans Police Department for **two (2) working days**, effective **Sunday, March 27, 2011**. The actual starting day of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and two (2) AWP days are not counted as suspension days.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that due to your suspension, you should contact the CAO Hospitalization Office at 565-6515, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Fourth District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPA  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Clinton Lawrence  
[REDACTED]

First District  
New Orleans Police Department

RE: P.I.B. Case # 10-1159R

Officer Lawrence,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding New Orleans Operations Manual; Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance **Third Offense**, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Sergeant Ashish Shah, assigned to the First District.

This investigation determined that on Friday, August 20, 2010, at about 10:40a.m., Lieutenant Arden Taylor, of the Office of Compliance, was notified by Assistant District Attorney Matt McLaren that you failed to appear in Criminal District Court, Section "H", under case number 497-569 on Friday, August 20, 2010 at 9:00a.m. Documentation indicates that you were properly served the subpoena via electronic "Court Notify" system. Lastly, you failed to contact CDC, Section "H" to inform the Judge of your inability to attend the required court hearing. You admitted that you did not appear at your scheduled court date. As such, you violated Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit Chapter 74.3 Mandatory Tribunal Attendance, Third Offense.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Robert E. Norton, the Commander of First District, on Monday, December 27, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.

Captain Norton has recommended a sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance and further recommended that you receive a three (3) working day suspension, Third Offense.



Assistant Superintendent Marlon A. Defillo, of the Field Operations Bureau, received and reviewed the Disciplinary Hearing form submitted by Captain Norton and did not concur with his recommended penalty that you should only be disciplined with a three (3) working day suspension. Assistant Superintendent Defillo submitted an Interoffice Correspondence coversheet dated January 5, 2011 and recommended that you are disciplined with a ten (10) working day suspension for the sustained violation of Rule 4: Performance of Duty within a thirty-six (36) month period.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Third Offense.

This Rule reads as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

#### **Applicable Chapter:**

##### **Chapter 74.3 relative to Mandatory Tribunal Attendance**

1. Attendance at any City, State, Federal, or Civil Court and any Administrative Hearing shall be mandatory under the following conditions:
  - a. under subpoena or order of Instanta,
  - b. upon notification via department teletype,
  - c. under orders of a ranking officer or an employee of the Court,
  - d. upon receipt of a written or verbal notice from the City Attorney's or District Attorney's offices.

5. Employees who have been served with a subpoena and for a valid reason cannot appear shall contact the appropriate court section and inform the Judge of their inability to attend.
6. Employees who fail to comply with policies established in this Chapter after having been properly notified shall be subject to disciplinary action.

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:

- (1) removal from the service.
  - (2) involuntary retirement.
  - (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
  - (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
  - (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
  - (6) fine.
- (as amended June 10, 1982, effective June 10, 1982)



Lawrence  
P.I.B. #10-1159R  
Page 4 of 4


Additionally, I approve the penalty recommended by Assistant Superintendent Defillo. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, **Third Offense**, you are **suspended** from the New Orleans Police Department for **ten (10) working day**, effective the week of **Sunday, March 27, 2011**. The actual starting date of your suspension during that week is at the discretion of your Commander. This penalty is based on this is your **Third Offense** of a violation of Rule 4: Performance of Duty within a twenty four (36) month period. The penalty is within the penalty schedule guidelines established in Chapter 26.2 Discipline Hearing/Penalties for progressive discipline. The actual starting date of your suspension during that week is at the discretion of your Commander. This suspension is to run without interruption and your two (2) AWP days are not counted as suspension days.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that if you are suspended, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, First District  
Public Integrity Bureau



MITCHELL J. LANDRIEU  
MAYOR

CITY OF NEW ORLEANS

# DEPARTMENT OF POLICE

P.O. Box 51480  
New Orleans, Louisiana 70151

*"to protect and to serve"*



RONAL W. SERPAS  
SUPERINTENDENT

March 16, 2011

OUR REF: 27051 AA

Police Officer Tindell Murdock  
[REDACTED]

Eighth District  
New Orleans Police Department

RE: P.I.B. Case # 10-0968R

Officer Murdock,

An administrative investigative report alleging a violation of a Departmental Rule and/or Procedure, regarding New Orleans Operations Manual; Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, has been submitted to my office for the determination of disciplinary action. This investigation was conducted by Police Lieutenant Derek Frick, assigned to the Eighth District.

This investigation determined that on Wednesday, June 30, 2010, at about 9:30a.m., Lieutenant Arden Taylor, of the Office of Inspections, conducted an inspection for officers' attendance in all sections of Criminal District Court. Assistance District Attorney Stephen Collins of CDC, Section "C" reported that you failed to appear in Section "C", under case number 492-426 on Wednesday, June 30, 2010 at 9:00a.m. Documentation supports that you received the electronic subpoena via email "Court Notify" and acknowledged your date to attend court. Lastly, you failed to contact CDC, Section "C" to inform the Judge of your inability to attend the required court hearing. As such, you violated Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit Chapter 74.3 Mandatory Tribunal Attendance.

To afford you an opportunity to present facts in mitigation or to explain your conduct, a hearing was held before Captain Edwin C. Hosli, the Commander of Eighth District, on Tuesday, November 29, 2010. At that hearing you offered nothing which would tend to mitigate, justify or explain your behavior as heretofore outlined.



Captain Hosli has recommended a sustained violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source, to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance and further recommended that you receive a one (1) working day suspension, Category 1.

After a thorough and complete review of the entire investigative report, I find that your conduct, as outlined above, constitutes a violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1.

This Rule reads as follows:

#### **RULE 4 PERFORMANCE OF DUTY**

##### **2. Instructions from an Authoritative Source**

A member shall professionally, promptly and fully abide by or execute instructions issued from any authoritative source. If the instructions are reasonably believed to be in conflict with the Rules and Procedures of the Department or other issued instructions, this fact shall respectfully be made known to the issuing authority. If the issuing authority elects to insist upon execution of the instructions which are reasonably believed to be in conflict with Department Rules and Procedures, then the member receiving the instructions shall have the right to request and is entitled to receive, IMMEDIATELY, said instructions in writing, except in cases of emergency as determined by the supervisor. The issuing authority shall be held responsible should any conflict materialize; however, no instructions shall be issued or executed which are in violation of law.

##### **Applicable Chapter:**

##### **Chapter 74.3 relative to Mandatory Tribunal Attendance**

1. Attendance at any City, State, Federal, or Civil Court and any Administrative Hearing shall be mandatory under the following conditions:
  - a. under subpoena or order of Instanta,
  - b. upon notification via department teletype,
  - c. under orders of a ranking officer or an employee of the Court,
  - d. upon receipt of a written or verbal notice from the City Attorney's or District Attorney's offices.

5. Employees who have been served with a subpoena and for a valid reason cannot appear shall contact the appropriate court section and inform the Judge of their inability to attend.
6. Employees who fail to comply with policies established in this Chapter after having been properly notified shall be subject to disciplinary action.

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:

- (1) removal from the service.
  - (2) involuntary retirement.
  - (3) reduction in pay within the salary range for the employee's classification, subject to the provisions of Rule IV, Section 8.
  - (4) 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 salary range for the lower classification, subject to the provisions of Rule IV, Section 8.
  - (5) suspension without pay not exceeding one hundred twenty (120) calendar days.
  - (6) fine.
- (as amended June 10, 1982, effective June 10, 1982)



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Additionally, I approve the penalty recommended by Captain Hosli. 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 that for the **sustained** violation of Rule 4: Performance of Duty, paragraph 2 - Instructions from an Authoritative Source to wit: Chapter 74.3 relative to Mandatory Tribunal Attendance, Category 1, you are **suspended** from the New Orleans Police Department for **one (1) working day**, effective the week of **Sunday, March 27, 2011**. The actual starting date of your suspension during that week is at the discretion of your Commander.

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. Refer to New Orleans Police Department Operations Manual Chapter 26.2, Appendix D for information on Civil Services Rules governing appeals.

Further you are advised that if you are suspended, you should contact the CAO Hospitalization Office at 658-8615, to make arrangements to maintain Hospitalization Insurance payments. These payments are not paid for 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.

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

Sincerely,



RONAL W. SERPAS  
Superintendent of Police

RWS:bag

cc: Department of City Civil Service  
NOPD Personnel Office  
NOPD Pension Board  
Field Operations Bureau  
Commander, Eighth District  
Public Integrity Bureau