



JOHN BEL EDWARDS
GOVERNOR

LAMAR A. DAVIS
COLONEL DEPUTY SECRETARY

State of Louisiana
Department of Public Safety and Corrections
Public Safety Services

August 18, 2023
4750/0501/SDS/23-24040
HQ-01-912

Trooper First Class Timothy K. Parker
Patrol- Troop F

VIA PERSONAL DELIVERY
IA-2300018; P-200017

Re: 160 HOUR SUSPENSION and RESTITUTION

TFC Parker:

Pursuant to the authority granted to me as Appointing Authority by Louisiana State Police Commission (Commission) Rules 12.2 and 12.7, you are hereby notified that you are being suspended for 160 hours without pay and allowances because you violated several policies related to your AXON body worn camera (BWC) during the period of March 7, 2023, and March 21, 2023. Your suspension will begin at 0600 hours on Monday, August 21, 2023. You will return to work at 1800 hours on September 19, 2023.

You are suspended for violating the following five (5) policies and procedures:

P.O. 901 – Code of Conduct and Ethics – 16. Use of Department Equipment
P.O. 1117 – Body Worn Camera & In-Car Camera System – 3. General
P.O. 1106 – Enforcement – 5. Stopping Violators
P.O. 901 – Code of Conduct and Ethics – 12. Unsatisfactory Performance
P.O. 901 – Code of Conduct and Ethics – 4. Conduct Unbecoming an Officer

You have been employed with LSP since August 30, 2015. You are a commissioned officer with permanent status. You hold the rank of Trooper First Class.

On March 7, 2023, you worked a Local Area Compensated Enforcement (LACE) detail from 2:00 PM to 6:00 PM. During that detail you were equipped with your BWC. You conducted your last traffic stop for that detail at approximately 3:45 PM. After you returned home from working this extra duty assignment, your BWC fell from your belt onto the floor. You then placed your BWC on your kitchen table in your home.¹

On March 10, 2023, you worked your regular shift, from 6:00 AM to 6:00 PM, without your BWC. During that shift you had five (5) citizen encounters: you made four (4) traffic stops and conducted one accident investigation. After your shift, at 6:15 PM, you reported to LSP

¹ Exhibit 1. TFC Parker's *Incident Report*.

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Sergeant Michael Linton, the Administrative Sergeant for Troop F, that you had lost your BWC and that the last place you saw it was in your home on March 7, 2023. Sgt. Linton told you to give yourself the weekend to find your BWC before reporting it to your supervisors; but, he told you that you would have to report the loss. The Sergeant then informed you that he would leave a spare BWC on the charging dock at Troop F for you to pick up prior to your next shift, which was the following day on March 11, 2023, at 6:00 AM.

On March 11, 2023, you conducted a traffic stop at approximately 6:24 AM while on your way to Troop F to pick up the spare BWC. You then continued to Troop F to pick up the spare BWC. While using the spare BWC, you worked your regular duty shift on March 12, 2023, and you worked two (2) additional LACE details—on March 13, 2023, and on March 15, 2023.

On March 15, 2023, you called your supervisor, Sergeant Shelton “Zach” Crooks, to inform him that you had lost your BWC. On that same day, Sgt. Crooks relayed the information to Lieutenant Laura Cox and Sergeant Ryan Baker.

On March 16, 2023, at 3:45 PM, Sgt. Linton contacted AXON in an attempt to locate your BWC. With the assistance of AXON, the Sergeant was able to determine the last location of your BWC, which was in Choudrant, Louisiana, on Interstate 20 westbound at mile post 93 exit ramp at the intersection of Louisiana Highway 145 North. Trooper Jake Lee traveled to the location, but he could not locate your BWC. Sgt. Linton asked you whether you were familiar with that location, to which you replied that you had turned your BWC off at that location after completing a traffic stop.

On March 20, 2023, Lt. Cox reviewed recordings from your Axon in-car camera (ICC) from March 10, 2023 and March 11, 2023. The Lieutenant observed the citizen encounters that you had on those days without a BWC. Lt. Cox also viewed your BWC and ICC from September 9, 2022, through March 11, 2023. During that time period, Lt. Cox identified instances where you did not notify Region III dispatch or Troop F desk about your citizen encounters until after contact was made or not at all. Your failure to use your BWC and failure to notify Region III dispatch or Troop F desk were recorded as follows:

9-9-22 – REN #22-103033

LA 146 @ Castor Creek – Jackson Parish.

Traffic stop for speeding, did not call out stop until after contact was made with violator.

10-17-22 – REN# 22-121918

I-20, WB Rest Area - Lincoln Parish.

Traffic stop for speeding, did not call out stop until after contact was made with violator.

11-23-22 – REN# 22-141006

I-20, EB MP 84 – Lincoln Parish.

Traffic stop for speeding, did not call out stop at all.

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1-26-23 – REN# 23-014469

LA 151 @ Griggs – Ouachita Parish.

Traffic stop for no seatbelt, did not call out stop until after contact was made with violator.

3-10-23 – REN# 23-040581

US 165 @ Spotted Dog – Caldwell Parish.

Traffic stop for no seatbelt. No BWC, called out stop.

3-10-23 – REN# 23-040514

US 165 @ Adams St -Caldwell Parish.

Crash, No BWC.3-10-23- No CAD event

US 165 – Caldwell Parish.

Dispatched to two-vehicle crash, No BWC.

Logged as Citizen Encounter.

3-11-23 – REN# 23-040872

I-20 EB, West Monroe – Ouachita Parish.

Traffic stop for no seatbelt. No BWC, called out stop.

On March 20, 2023, at Sgt. Crooks's direction, you submitted an *Incident Report* to Lt. Cox regarding your BWC.² Lt. Cox, Sgt. Baker, and Sgt. Crooks met with you and questioned you regarding the loss of your BWC. Lt. Cox relayed the incident to Captain Eric Cuenca. Capt. Cuenca reported the incident to his chain of command.

As instructed by me, the LSP Internal Affairs (IA) Unit initiated an administrative investigation to determine whether you violated LSP policies and orders regarding traffic enforcement and the use of your BWC. IA Captain Saleem El-Amin assigned the investigation to Trooper Tony Washington. Sergeant Georgiana Sonnier assisted with the IA investigation, which began on March 31, 2023.

On April 25, 2023, during your IA interview, you admitted that you lost your BWC on or about March 7, 2023. You admitted that you worked your regular shift on March 10, 2023, without your BWC. You admitted that during your March 10, 2023, shift you conducted a traffic stop on two vehicles without your BWC and that you failed to notify either Region III dispatch or Troop F desk of those stops. You admitted that you did not try to obtain another BWC to use until after your shift was completed on March 10, 2023. You admitted that you failed to report the loss of equipment to your shift supervisor, Sgt. Crooks. You admitted that, instead of reporting the loss to your supervisor, you contacted Sgt. Linton and arranged to obtain a spare BWC for your March 11, 2023 shift. You admitted that you conducted another traffic stop on March 11, 2023, prior to picking up the spare BWC from the Troop. You admitted that you utilized the spare BWC for your regular shift on Sunday, March 12, 2023; on Monday, March 13, 2023, for your LACE shift; and on Wednesday, March 15, 2023, for another LACE shift you worked.

² Exhibit 1. TFC Timothy Parker's *Incident Report*.

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On May 19, 2023, you were served with the *Decision Page* that listed the determinations of the policy violations investigated by IA. You were informed that I intended to suspend you without pay and allowances for 164 hours for the policy violations you committed. In your response, dated May 25, 2023, you did not deny that you violated the listed policies.³ Instead, you requested reconsideration of the proposed discipline alleging the financial hardship your suspension would cause your family. Specifically, you requested that the term of your suspension be reduced from 164 hours to 160 hours. I have reconsidered the term of your suspension and have granted your request for a reduction.

DETERMINATIONS

1. P.O. 1117 BODY WORN CAMERA & IN-CAR CAMERA SYSTEM

By your own admission, you violated P.O. 1117(3)(i)(b), *General Use and Operation*, which provides,

3. General

i) General Use and Operations

- b) Officers issued BWCs shall wear them for the duration of each shift while working in a uniform patrol capacity, and leave them powered on, ready to record or receive a signal to record, except as otherwise provided in this policy.

You violated this policy because, on March 10, 2023, you worked your entire shift without your Department-issued BWC, and your encounters with five (5) citizens was not properly documented.

2. P.O. 1106 ENFORCEMENT

By your own admission, you violated P.O. 1106(5)(iii)(a), *Stopping Violators*, which provides,

5. Stopping Violators

iii) Marked Units

- a) When an officer has determined that enforcement action is warranted, he shall activate the unit's emergency lights and / or audible warning devices notifying the violator of the patrol officer's presence. He shall notify the appropriate Troop, sheriff's office, or police department and should give the:

³ Exhibit 2. TFC Parker's response to the IA Decision Page.

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- Vehicle's registration number.
- Vehicle's description.
- Location of the stop.
- Direction of travel.

You violated this policy because, on March 11, 2023, you failed to notify Region III Dispatch or Troop F desk of the stop you made on your way to Troop F to obtain a spare BWC to use for your shift that day.

3. P.O. 901 CODE OF CONDUCT AND ETHICS

By your own admission you violated P.O. 901(16)(i) *Use of Department Equipment*, which provides,

16. Use of Department Equipment

- i) A commissioned officer shall utilize Department equipment in the prescribed fashion, according to existing regulations or directions, and shall not abuse, damage or lose Department equipment.

You violated this policy because you lost your Department-issued BWC.

4. P.O. 901 CODE OF CONDUCT AND ETHICS

By your own admission, you violated P.O. 901(4) *Unsatisfactory Performance*, which provides,

12. Unsatisfactory Performance

- i) A commissioned officer shall maintain a competency level sufficient to properly perform his duties and assume the responsibilities of his position. Officers shall perform their duties in such a manner as to maintain the highest standards of efficiency. Unsatisfactory performance may be demonstrated by:
 - a) An unwillingness or inability to perform an assigned task.
 - b) A failure to conform to work standards established for the officer's rank, grade or position.

You violated this policy because you knowingly worked an entire shift without your BWC.

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By your own admission, you violated P.O. 901(12)(i)(a) and (b), *Conduct Unbecoming an Officer*, which provides,

4. *Conduct Unbecoming an Officer*

- i) A commissioned officer shall conduct himself at all times, both on and off-duty, in such a manner as to reflect most favorably on himself and the Department.
- ii) Unbecoming conduct is defined as conduct which:
 - a) Brings the Department or any of its subdivisions into disrepute.
 - b) Reflects discredit upon the officer as a member of the Department.
 - c) Impairs the operations or efficiency of the Department, the officer, or state service.
 - d) Detrimentally affects the morale of the Department's personnel.
 - e) May reasonably be expected to destroy public respect for State Police Officers and/or confidence in the Office of State Police.

You violated this policy by failing to call in traffic stops even after being disciplined and counseled about the importance of proper BWC use. Such conduct impairs the operations and efficiency of the Department.

Although these violations alone warrant the discipline imposed, your offenses are even more egregious for the following reasons.

On November 14, 2022, you were disciplined for violating P.O. 901 *Code of Conduct and Ethics-Courtesy*, P.O. 901 *Code of Conduct and Ethics-Performance of Duty*, and P.O. 1106 *Enforcement- Stopping Violators*.⁴ In your discipline letter, you were informed that any future violations of this or any nature may result in more severe discipline, up to and including termination.

On January 15, 2023, you attended the roll call training conducted by Sgt. Baker regarding P.O. 1117 on the use of BWC and ICC.⁵

On, February 4, 2023, Sgt. Baker reviewed four (4) videos from your BWC and ICC relating to a Hit and Run Crash Investigation/Arrest, Case # 23-026216. The Sergeant discovered that upon leaving the arrest location, you had violated P.O. 1117 by turning off your BWC and

⁴ Exhibit 3. IA-22-00041 discipline letter.

⁵ Exhibit 4. Department of Public Safety and Corrections, Attendance Roster for BWC and ICC training.

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ICC while transporting the arrestee to the Ouachita Correctional Center. The Sergeant relayed this information to Lt. Cox.

On February 6, 2023, Lt. Cox and Sgt. Baker verbally counseled you about turning your BWC and ICC off. You informed them that you would follow P.O. 1117.

You have been a Trooper for more than seven (7) years. After being disciplined and counseled related to stopping violators and your use of BWC in September of 2022 and February of 2023, you failed to call in stops until after the stop was made or not at all. Despite prior warnings about the importance of proper BWC use, you worked an entire shift without a BWC and you continued to fail to call in all of your stops.

Due to the above listed policy violations, you are suspended for 160 hours without pay and allowances. Your suspension will begin at 0600 hours on Monday, August 21, 2023. You will return to work at 1800 hours on September 19, 2023. Any future violations of this nature may result in more severe discipline, up to and including termination.

You have the right to appeal your suspension to the Louisiana State Police Commission. The time limits and procedure for appealing are contained in Chapter 13 of the State Police Commission Rules. A copy of Chapter 13 can be obtained from the State Police Commission. Their current mailing address is P.O. Box 66555, Baton Rouge, Louisiana 70896-6555. Their current telephone number is (25) 925-7057. Their fax number is (225) 925-7058.

Further, your attention is directed to Louisiana State Police Policy and Procedure Order number 201.5.iv, which states:

- iv) No officer shall work escorts, pad off-duty details, or overtime in an pay period wherein he taken without pay, been suspended without pay, placed on forced or administrative leave, or worked at a reduction in pay as a result of a disciplinary action unless authorized by the appointing authority.

Additionally, you are required to make restitution to LSP for the lost BWC in the total amount of \$811.00. This amount will be recouped as a bi-weekly payroll deduction of \$90.11, which will begin September 22, 2023, through December 29, 2023; and \$90.04 on January 12, 2024. Restitution is not appealable.

Sincerely,



Colonel Lamar A. Davis

Superintendent, Louisiana State Police

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cc: Lt. Col. Chavez Cammon
Lt. Col. Joseph Hasselbeck, III
Major Cordell Williams
Captain Eric Cuenca
Internal Affairs
Office of Legal Affairs

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