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DEPUTY SECRETARY

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

May 28, 2021
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HQ-01-492

CAPTAIN JOHN PETERS
TSS/ WEIGHT ENFORCEMENT

IA#21-012, OLA#072307
VIA PERSONAL DELIVERY

RE: THIRTY- TWO (32) HOUR SUSPENSION

Captain Peters:

I am in receipt of your response to the intended thirty-two (32) hour suspension letter delivered to you. After due consideration, I find that your suspension is warranted. In accordance with State Police Commission Rules 12.1 and 12.2, you are hereby notified that you are suspended from duty for thirty-two (32) hours without pay and allowances. Your suspension will begin at 0800 hours on Thursday, June 10, 2021, and will end at 1630 hours on Tuesday, June 15, 2021. You shall report back to your assigned duty station at 0800 hours on Wednesday, June 16, 2021. You are suspended for the following reasons:

On May 23, 2020, former Troop F trooper Jacob Brown pulled Mr. Antonio Harris over for a traffic violation. During the traffic stop, Mr. Harris fled the scene and led troopers on a 29-mile high speed pursuit, which ended with Mr. Harris being arrested. Multiple law enforcement officers were involved in Mr. Harris' arrest, including three Troop F troopers, former Trooper Jacob Brown, Trooper Dakota DeMoss, and Trooper George Harper. Former Trooper Brown, Trooper DeMoss, and Trooper Harper all used force against Mr. Harris during the arrest, but only former Trooper Brown submitted a use of force ("UOF") report following the incident, and this UOF report did not contain an accurate description of the incident. Former Trooper Brown also completed a pursuit report following the incident.

At the time of this incident, you were the Commander of Troop F. According to the electronic date and time stamp on former Trooper Brown's UOF report, you reviewed and signed off on the report at 1610 hours on June 2, 2020 after Sgt. Bruce Robinson reviewed the report and routed it to you. According to the electronic date and time stamp on the pursuit report submitted by former Trooper Brown, you reviewed and signed off on that report at 1308 hours on June 9, 2020. The Axon video audit trails for all videos¹ related to the incident confirm you did not review any of the videos at the time you signed off on the UOF report or the pursuit report. After your

¹ Videos of the incident from the following cameras were available on June 2, 2020: former Trooper Brown, Trooper Demoss, Trooper Harper, and Trooper Shappley's body worn cameras and in-car cameras.

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review, the UOF report was routed to Sgt. Scott Davis of the Training Academy for review.

On June 4, 2020, Sgt. Davis opened and reviewed the UOF report as well as the in-car camera ("ICC") and body worn camera ("BWC") footage related to the incident. Sgt. Davis noticed neither you nor Sgt. Robinson had reviewed any of the video footage before signing off on the UOF report. On June 10, 2020, Sgt. Davis called Sgt. Jason Hanemann of Troop F to tell him the supervisors at Troop F needed to start watching videos when they review UOF reports. Sgt. Hanemann then alerted you of the issue and told you he felt it must be serious for Sgt. Davis to reach out to him about it. You then told Lt. William Brinkerhoff to watch the videos associated with the UOF report, but did not watch the videos yourself.

On June 11, 2020, you sent an email out to all Troop F supervisors informing them that they must review all videos associated with UOF and pursuit reports and then have a meaningful review with involved personnel. In this email, you said, "I received an embarrassing reminder yesterday that this is not being done. The ultimate responsibility is mine. I failed." However, you still did not go back and review the videos related to the May 23, 2020 incident.

On December 9, 2020, the Louisiana State Police ("LSP") Criminal Investigations Division ("CID") began a criminal investigation into the force used by former Trooper Brown, Trooper DeMoss, and Trooper Harper on Mr. Harris, which lead to their arrest for various charges, including Simple Battery and Malfeasance in Office. Following the CID investigation, an administrative investigation² was initiated into potential policy violations by you related to the incident.

During your recorded interview with Internal Affairs ("IA") investigators Lt. Saleem El-Amin and Sgt. James Jefferson on March, 24, 2021, you admitted you signed off on former Trooper Brown's UOF report related to the May 23, 2020 incident without viewing any videos associated with it. You admitted you never watched the videos yourself, and that the first time you watched the videos was during your interview with IA investigators. You said it was common practice for you to review a UOF report and sign off on it without watching any pertinent videos. You told investigators you weren't aware that the UOF report was inaccurate until you spoke with criminal investigators. After you were shown the videos during your interview with IA investigators, you admitted that the actions you saw in the video did not match former Trooper Brown's UOF report you signed off on and that if you had seen the videos prior to signing off on the report, you would have "run it up the chain."

² During the administrative investigation, the following individuals participated in recorded interviews with Internal Affairs investigators: Captain J.B. Slaton, Sgt. Bruce Robinson, Sgt. Scott Davis, and Sgt. Jason Hanemann.

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By your own admission, you signed off on the UOF report related to the May 23, 2020 arrest of Mr. Harris submitted by former Trooper Brown without reviewing any of the pertinent videos of the incident. At that time, you were the Commander of Troop F and a supervisor of all Troop F personnel. Your actions violated Louisiana State Police Policy and Procedure Order 238- Use of Force, Section 11- Use of Force Reporting, which states in pertinent part:

- ...
- ii) Supervisors shall review the Use of Force Report and any pertinent videos of the incident. Supervisors should then indicate whether actions taken by the officer complied with policy and procedure and training. Any training or weapons deficiencies should be reported to the Training Academy Director. Comments shall be addressed in the comments section of the Use of Force Report.
- ...

On June 9, 2020, you signed off on the pursuit report related to the May 23, 2020 pursuit of Mr. Harris submitted by former Trooper Brown without reviewing any of the pertinent videos of the incident. At that time, you were the Commander of Troop F and a supervisor of all Troop F personnel. Your actions violated Louisiana State Police Policy and Procedure Order 1112- Pursuit/ Roadblock, Section 10- Pursuit Reporting Requirements, which states in pertinent part:

- ...
- iv) Supervisors shall review the vehicle pursuit report and any pertinent videos of the incident. Supervisors should indicate whether actions taken by the officer(s) complied with Policy and Procedure and training. Any training deficiencies shall be addressed by the Training Academy. Comments shall be addressed in the comment section of the electronic reports for vehicle pursuits.
- ...

Following the May 23, 2020 arrest of Mr. Harris, you signed off on the UOF report and the pursuit report submitted by former Trooper Brown without reviewing the videos associated with the incident, as was required by policy. You were told that the failure to watch the videos prior to signing off on the report was an issue and you still did not go back and watch the videos. You admitted to IA investigators that the first time you reviewed the related videos was during your IA interview. You therefore failed to take appropriate action when the matter clearly deserved your attention. Your actions violated Louisiana State Police Policy and Procedure Order 901- Code of Conduct and Ethics, Section 12- Unsatisfactory Performance, which states in pertinent part:

- 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:

- ...
- d) A failure to take the appropriate action on the occasion of a crime, disorder or other matter deserving attention.
- ...

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As stated above, you signed off on the UOF and pursuit reports submitted by former Trooper Brown without reviewing the videos pertinent to the reports, as was required by policy. After watching the videos during your interview, you admitted to IA investigators that what happened in the videos was not what was written in the UOF report. You also told IA investigators that it is common practice for you to sign off on UOF reports without watching the pertinent videos. You therefore failed to properly perform your duties as Commander of Troop F, and failed to adhere to the orders promulgated by the Department. Your actions violated Louisiana State Police Policy and Procedure Order 901- Code of Conduct and Ethics, Section 8- Performance of Duty, which states in pertinent part:

- i) A commissioned officer shall conscientiously strive to enforce the laws of the state of Louisiana, render service to all citizens within the state, be responsible for the proper performance of all assigned duties, and strictly adhere to the rules, regulations, orders, manuals, and directives promulgated by the Department.
- ii) Ignorance of the rules, regulations, and directives shall not be considered an excuse or justification for any violation of such by an officer.

...

Any future violations of this or any nature may result in more severe discipline, up to and including termination, and this suspension can be used to support the severity of future discipline.

You have the right to appeal this action 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, LA 70896-6555. Their current telephone number is (225) 925-7057 and their fax number is (225) 925-7058.

Sincerely,



Colonel Lamar Davis
Superintendent, Louisiana State Police

c: Lt. Col. M. Doug Cain, II
Lt. Col. Chavez Cammon
Major Mark Morrison
Internal Affairs
Office of Legal Affairs
Human Resources Management

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