



JOHN BEL EDWARDS
GOVERNOR

LAMAR A. DAVIS
COLONEL DEPUTY SECRETARY

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

JUNE 8, 2022
4750/0501/MMG/22-23893
HQ-01-689

Sgt. Alexandr Nezgodinsky
Troop A

VIA PERSONAL DELIVERY
IA-2200010; OLA #076817

Re: 40 HOUR SUSPENSION

Sgt. Nezgodinsky:

Pursuant to the authority granted by Louisiana State Police Commission Rules 12.2 and 12.8, you are hereby notified that you are suspended from duty without pay and allowances for 40 hours. Your suspension will begin at 1300 hours on Saturday, July 16, 2022, and will end at 1700 hours on Thursday, July 21, 2022. You shall report back to your assigned duty station at 1700 hours on Monday, July 25, 2022. You are suspended for the following reasons:

On January 19, 2022, two juvenile offenders¹ escaped from a detention center, Acadiana Center for Youth (ACY), in Bunkie, LA. Following their escape, the offenders burglarized several vehicles in the surrounding area and stole three handguns from the vehicles. They also stole a Chevy Colorado truck. Offender A left Offender B at a house in New Roads, LA and then drove the Chevy to Mississippi. Offender A abandoned the Chevy in Mississippi and stole a Ford F350 truck and drove back into Louisiana. A "Be On the Look Out" (BOLO) was transmitted to law enforcement.

On January 20, 2022, you, LSP Trooper Derrick Parish, Trooper Jeffrey Martin, DPS Lt. Hulon Moran, and DPS Officer Hunter O'Connor apprehended Offender A in Baton Rouge². At the time Offender A was taken into custody, it was believed that the two escapees were armed. Offender A was searched by DPS Lt. Hulon Moran at the time he was apprehended. Offender A was also searched by Trooper Derrick Parish again before placing Offender A in the rear seat of his (Parish's) unit. The searches did not result in any weapons being located on Offender A. Due to a wound to his left leg Offender A received the night before when a bullet grazed his leg, he was treated at the scene by medical personnel.

¹ Due to their juvenile status, the identity of the offenders will be protected and they will be referred to in this letter as offenders and Offender A and Offender B.

² All of the officers were equipped with Body Worn Cameras that recorded some or all of the events, and all of the recordings are maintained in Evidence.com.

COURTESY • LOYALTY • SERVICE

"An Equal Opportunity Employer"

P.O. BOX 66614, BATON ROUGE, LOUISIANA 70896

While on scene, you and Trooper Parish were both concerned about finding a gun the offenders were believed to have. During your discussion which was captured on your Body Worn Cameras (BWC), Trooper Parish told you Offender A had been pretty cooperative and he would just ask him where the gun was. When Trooper Parish spoke to Offender A about a gun, he denied having a gun or discarding one anywhere, which was communicated to you.

After being medically cleared at the scene, Trooper Parish transported Offender A to the Baton Rouge Police Department (BRPD) Headquarters (HQ) on Airline Highway and you followed. You, Trooper Parish and Offender A walked together into BRPD HQ. Your BWC recorded you stop Trooper Parish from handcuffing Offender A to a bench and you tell Trooper Parish, "We need to look at him real quick." You searched Offender A and asked him questions about anything being on his person. You specifically asked Offender A if he had anything in his underpants he was not supposed to have, in addition to asking, "No guns? No nothing?" Offender A responded, "No sir." You asked Offender A how many guns they had and he responded, "Three." Your BWC captured you search Offender A and shows that you never searched Offender A's left armpit, which is where he had a Taurus 9 mm handgun containing seven rounds. After you searched Offender A, his left wrist was then handcuffed to a bench. As you and Trooper Parish discussed the booking process, your BWC captured Offender A reach across his body with his right hand toward his left side and push the gun back toward the wall directly behind him. Several minutes later, Offender A lifted the gun upward and placed it under his armpit, pulled his sweatshirt way from his left armpit area, and then looked down to make sure it was not showing. After you, LSP Sgt. Jarod Watson and Trooper Carl Holiday interviewed Offender A at BRPD HQ, you left.

Trooper Parish then transported Offender A in his unit, went through a drive thru to get them some food, drove to the EBR Parish jail to get documents notarized, and then arrived at the BR Juvenile Detention Center. Due to the injury to his left leg, the detention center required Offender A to be medically cleared before accepting him. Trooper Parish transported Offender A to the Mid-City Baton Rouge General Medical Center where he was evaluated. After being medically cleared, Offender A was transported to and released to the custody of the EBR Juvenile Detention Center, all the while with the handgun concealed in his left armpit. Trooper Parish's In-Car Camera (ICC)³ recorded Offender A's actions in the rear of his unit during the transports, which recordings show Offender A adjust the handgun in his armpit several times.

Offender A maintained possession of the handgun and on January 21, 2022, was transported back to the ACY where he introduced the handgun into the juvenile detention center. The handgun remained in his possession until January 25, 2022, when he reported to Judith Sylvester, Chief of Security at ACY, that he (Offender A) was in possession of a handgun that he had with him since he was apprehended on January 20, 2022. When Offender A was interviewed by Internal Affairs investigators Sgt. Robert Grimes and Trooper Kevin Ducote, he admitted that he had the handgun in his armpit at the time he got out of the truck on January 20, 2022, and explained in detail how he maintained possession of it until January 25, 2022.

³ The ICC recordings are maintained in Evidence.com.

In a written incident report you submitted relating to the matter, you wrote, "Based on (Offender A's) baggy attire, I searched him....No weapons or contraband was located." During your recorded interview with LSP Internal Affairs investigators Sgt. Robert Grimes and Trooper Kevin Ducote, you advised that on January 20, 2022, you had just finished testifying at the West Baton Rouge Parish courthouse at approximately 1900 hours when you heard Trooper Parish on the radio regarding the vehicle and juveniles that were the subject of an earlier BOLO. You proceeded to Trooper Parish's location and assisted in conducting a felony stop of the vehicle. You advised IA investigators that you 100% suspected that a gun might be present. You explained that while on scene, you asked Offender A if he had any weapons, but you did not search him on the scene. You explained that although you did not see Offender A being searched at the scene, you assumed that he was properly checked after being taken into custody.

You explained to IA investigators that you searched Offender A prior to interviewing him. You explained that based on his baggy attire and his body language, your intuition told you to search him. You felt that something was not right and therefore, you had to put your hands on him. You explained that the way Offender A walked was awkward, favoring his left side, but you attributed it to him being injured. You explained that you held the handcuff attached to Offender A's left wrist while searching him and Offender A was totally relaxed. You admitted that you never checked Offender A's armpit, otherwise, you would have felt the gun. You advised IA investigators that when you learned that Offender A had a gun, you watched the video footage of him being transported from the hospital to the EBR Juvenile Detention Center and it gave you goosebumps. You advised that there was no doubt that Offender A had a gun as you could clearly see him bring the handcuffs to the front of his body and reach under his left armpit where he grabbed an object which you were 99.9% sure it was a gun, and estimated Offender A held it for 20 seconds. You also watched the BWC video of you searching Offender A and admitted that you did not do a full search of his left chest and armpit area. You also saw on your BWC video Offender A adjust the gun on two separate occasions at BRPD HQs. You stated to IA investigators that although you were on the right track searching Offender A, you did a "half-ass" job and should have conducted a thorough and systematic search. You told IA investigators, "We are lucky. We are blessed he (Offender A) made a decision not to use it."

Although your intuition told you to search Offender A before you questioned him on January 20, 2022, you failed to conduct a full and thorough search of him, resulting in him retaining possession of a firearm that was concealed in his left armpit. Your actions violated Louisiana State Police Policy and Procedure Order No. 203 – Arrest and Searches, Section 9 – Search Procedures, which states in pertinent part:

- ...
- iv) Full search
 - a) A search of a person may be conducted based on probable cause or incident to arrest. The search may be for weapons, contraband, or evidence.
 - b) The search should be systematic and thorough. It should include all items in the suspect's possession, pockets, purse or any object that is within his reach.

Sgt. Nezgodinsky
June 8, 2022
Page 4

Any future violations of this or any nature may result in more severe discipline, up to and including termination.

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.

Your attention is directed to Louisiana State Police Policy and Procedure Order No. 201.5.iv, which states:

iv) No officer shall work escorts, paid off-duty details, or overtime in any pay period wherein he has taken leave 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.

Sincerely,



Colonel Lamar A. Davis
Superintendent, Louisiana State Police

c: Lt. Col. Chavez Cammon
Major John Riles
Captain Aaron Marcelle
Internal Affairs
Office of Legal Affairs
Human Resources

COURTESY • LOYALTY • SERVICE
"An Equal Opportunity Employer"
P.O. BOX 66614, BATON ROUGE, LOUISIANA 70896