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DEPUTY SECRETARY

State of Louisiana
Department of Public Safety and Corrections
Public Safety Services
September 10, 2018
4750/0501/AEA/18-21593
HQ-1-191

MASTER TROOPER SHAWN BOYD
TROOP B

IA# 18-006, OLA# 058282
VIA PERSONAL DELIVERY

RE: THREE HUNDRED TWENTY (320) HOUR SUSPENSION

Dear Master Trooper Boyd:

Your response to my intended suspension letter has been received by me. After due consideration, I have decided to reduce the period of suspension. Pursuant to the authority granted by State Police Commission Rules 12.1, 12.2, you are hereby notified that you are suspended from duty without pay and allowances on the dates and times as set forth in Exhibit "A." You are suspended for the following reasons:

In November 2017, New Orleans news channel WVUE Fox 8 aired a five part series of news reports titled "State of Unrest" which included assertions, in part, that you were claiming time not worked during regularly assigned work hours and LACE¹ overtime hours. In response to these reports, a criminal investigation was conducted by Louisiana State Police (LSP). At the conclusion of the criminal investigation, an administrative investigation was conducted to determine if any Louisiana State Police Policies and Procedures were violated, which resulted in the following findings:

Your timesheet² for the pay period covering July 31, 2017, reflects that on that date you worked regular duty from 1800 hours to 0600 hours on August 1, 2017. Troop B's radio log indicates you went "10-8"³ at 1724 hours on July 31, 2017, and "10-7"⁴ at 0600 hours on August

¹ LACE is an acronym for Local Agency Compensated Enforcement which are overtime details for traffic enforcement. The monies expended by Louisiana State Police on these details are reimbursed by the appropriate District Attorney's Office.

² Your timesheet for this pay period is labeled as Exhibit "B" and is attached hereto and made a part of this correspondence.

³ "In-service"

⁴ "Out-of-service"

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1, 2017.⁵ Surveillance footage from WVUE's Investigative Photographer Jon Turnipseed shows that your unit left your residence at 1716 hours on July 31, 2017, and that your unit returned to your residence at 0445 hours on August 1, 2017.⁶ In your recorded interview on April, 25, 2018⁷, with Internal Affairs investigators Sgt. Robert Grimes and M/T Kevin Ducote, you explained that although you could not recall specifics, this may have been a day where you went home to "spread out" and complete your paperwork.

Your timesheet⁸ for the pay period covering August 1, 2017, reflects that on that date you worked regular duty from 1800 hours to 0600 hours on August 2, 2017. Troop B's radio log indicates you went "10-8"⁹ at 1731 hours on August 1, 2017, and your radio transmission¹⁰ indicates you went "10-7"¹¹ at 0602 hours on August 2, 2017. Surveillance footage from WVUE's Investigative Photographer Jon Turnipseed shows that your unit left your residence at 1629 hours on August 1, 2017, and that your unit returned to your residence at 0500 hours on August 2, 2017. In your recorded interview, although you could not recall specifics, you explained that this may have been a day where you went home to complete your paperwork, use the bathroom, or eat something if you had not had a chance to do so earlier.

Your timesheet¹² for the pay period covering August 9, 2017, reflects that on that date you worked regular duty from 1800 hours to 0300 hours on August 10, 2017, and "flexed off" from 0300 hours to 0600 hours on August 10, 2017. Troop B's radio log indicates you went "10-8"¹³ at 1736 hours on August 9, 2017, and "10-7"¹⁴ at 0300 hours on August 10, 2017. Surveillance footage from WVUE's Investigative Photographer Jon Turnipseed shows that your unit left your residence at 1842 hours on August 9, 2017, and that your unit returned to your residence at 0153 hours on August 10, 2017. In your recorded interview, you explained that when you returned to your residence, you were working on the paperwork from two (2) DWI arrests that you made on your previous regular duty work day.

Your timesheet¹⁵ for the pay period covering August 15, 2017, reflects that on that date you worked regular duty from 0600 hours to 1800 hours. Troop B's radio log indicates you went

⁵ All radio logs referenced in this intended suspension letter are maintained by Internal Affairs and are available for your review upon your request.

⁶ All videos referenced in this intended suspension letter are maintained by Internal Affairs and are available for your review upon your request.

⁷ This interview was recorded. A copy of your interview is maintained by Internal Affairs and is available for your review upon your request.

⁸ Exhibit "B"

⁹ "In-service"

¹⁰ Your radio transmission referenced in this letter is maintained by Internal Affairs and is available for your review upon your request.

¹¹ "Out-of-service"

¹² Exhibit "B"

¹³ "In-service"

¹⁴ "Out-of-service"

¹⁵ Your timesheet for this pay period is labeled as Exhibit "C" and is attached hereto and made a part of this correspondence.

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“10-8”¹⁶ at 0530 hours and “10-7”¹⁷ at 1803 hours. Surveillance footage from WVUE’s Investigative Photographer Jon Turnipseed indicates that your unit was at your residence at 1555 hours. Your last documented radio traffic was at 1526 hours when you checked a driver’s license number. In your recorded interview, you could not recall whether you remained at your residence for the rest of your shift but explained that if you did, you would have been completing your paperwork.

Your assigned duty area is the West Jefferson route, which is where your residence is located. In your recorded interview, you explained that your standard practice was to return to your residence toward the end of your shift so you could “spread out” and complete paperwork generated during shift. You further explained that when you would do so, you remained dressed, monitored the radio, and were prepared to respond to calls, if needed. You also explained that because of surgery you had in March 2017, your system was “more regular” and that there were days following your procedure that you would sometimes have “episodes” where you would suddenly need to use the bathroom.

On August 1, 2017, August 2, 2017, August 10, 2017, and August 15, 2017, as outlined above, you failed to notify Troop B by radio or other form of communication that you were exiting your unit and entering your residence prior to the conclusion of your tour of duty, violating LSP Policy and Procedure Order 402, Communications, which provides in part:

2. *TROOP ASSIGNED OFFICER RESPONSIBILITIES*
ii.) Commissioned officers leaving their units during a tour of duty shall inform the Troop by radio or other forms of communication of their location.

The City of New Orleans and Louisiana State Police have entered into an Intergovernmental Agreement for the Local Agency Compensated Enforcement (LACE) Detail.¹⁸ Pursuant to this intergovernmental agency agreement, the purpose is to curtail vehicular crashes by increased police patrols and traffic violation enforcement on highways in Orleans Parish. When working an Orleans Parish LACE detail, your area of responsibility is Orleans Parish and you are to remain in Orleans Parish during the entirety of your tour-of-duty.

Your timesheet¹⁹ for the pay period covering August 8, 2017, reflects that on that date you worked an Orleans Parish LACE detail from 0600 hours to 1800 hours. Troop B’s radio log

¹⁶ “In-service”

¹⁷ “Out-of-service”

¹⁸ A copy of the Intergovernmental Agreement for the Local Agency Compensated Enforcement (LACE) Detail is maintained by Internal Affairs and is available for your review upon your request.

¹⁹ Exhibit “B”

indicates you went “10-8”²⁰ on August 8, 2017, at 0601 hours, however, surveillance footage from WVUE’s Investigative Photographer Jon Turnipseed shows that your unit left your residence in Jefferson Parish at 0637 hours. Your first LACE citation was issued at 0710 hours in Orleans Parish and your last LACE citation was issued around 1510 hours in Orleans Parish.²¹ WVUE surveillance footage shows that your unit returned to your residence in Jefferson Parish at 1708 hours. Surveillance footage also shows that when you exited your residence at 1724 hours, you do not appear to be in uniform. Troop B’s radio log indicates you went “10-7”²² at 1800 hours.

In your recorded interview, you admitted that it takes approximately twenty (20) to forty (40) minutes to drive from Orleans Parish to your residence in Jefferson Parish, depending upon the traffic. You recalled that as you were preparing to leave for your LACE detail on the morning of August 8, 2017, you had an “episode” which caused you to have to use the bathroom. You recalled that you left your residence once you were able to do so and worked your LACE detail. You also recalled that toward the end of the day you started feeling the need to use the bathroom again and recalled that you eventually had to return to your residence to use the bathroom. You recalled that you remained at your residence to finish your LACE paperwork until 1800 hours. You admitted that you did not notify a supervisor that you were having stomach issues on August 8, 2017, and stated that you have never called anyone to tell them you were going to your residence to use the bathroom.

On August 8, 2017, you failed to notify Troop B by radio or other form of communication that you were experiencing stomach issues and were leaving your unit and going into your residence prior to the conclusion of your Orleans Parish LACE detail, violating LSP Policy and Procedure Order 402, Communications, which provides in part:

2. *TROOP ASSIGNED OFFICER RESPONSIBILITIES*
 - ii.) Commissioned officers leaving their units during a tour of duty shall inform the Troop by radio or other forms of communication of their location.*

Your timesheet reflects that your tour-of-duty for your Orleans Parish LACE detail on August 8, 2017, was from 0600 hours to 1800 hours. However, based upon WVUE surveillance footage as outlined above, you were not in Orleans Parish during the entirety of your tour-of-duty. You did not have authorization to begin your tour-of-duty late or end it early, and you did not have authorization to be outside your assigned area during your tour-of-duty. Your failure to remain in your assigned area of Orleans Parish during the entirety of your LACE detail violated LSP Policy and Procedure Order 901-11, Neglect of Duty, which provides:

²⁰ “In-service”

²¹ All citations referenced in this intended suspension letter are maintained by Internal Affairs and are available for your review upon your request.

²² “Out-of-service”

i) A commissioned officer shall not, without proper authorization, absent himself from his assigned duty station or otherwise fail to perform his duty during his tour-of-duty.

On your timesheet for the pay period covering August 8, 2017, you stated that on August 8, 2017, you worked an Orleans Parish LACE detail from 0600 hours to 1800 hours. However, as set forth immediately above, you did not remain in your assigned duty area in Orleans Parish during the entirety of your tour-of-duty due to your “episodes.” Therefore, the timesheet you submitted did not accurately reflect the hours that you worked your August 8, 2017 Orleans Parish LACE detail, violating LSP Policy and Procedure Order 901-19, Department Records, which provides in part:

ii) Reports submitted by commissioned officers shall be truthful. No officer shall knowingly enter or cause to be entered, any false, inaccurate or improper information of the facts on any Department records or reports.

You have previously been disciplined for timekeeping issues, including while working LACE details. By letter dated November 23, 2015, you received a 160 hour suspension and temporary reduction in pay equivalent to 160 hours for violating LSP policies pertaining to your actions while working LACE details.²³ Your failure to correct your behavior since then has brought this Department into disrepute and undermined the credibility of your work and the work of this Department.

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

State Police Commission Rule 12.8(3) and (4) provide that disciplinary letters must inform you that you have the right to appeal the action to the Commission, that the time limits and procedures for appealing are contained in Chapter 13 of their rules, and that a copy of Chapter 13 can be obtained at the Commission at their current mailing address of P.O. Box 66555, Baton Rouge, LA 70896-6555. The rule further provides that you be notified that the Commission's current telephone number is (225) 925-7057 and their fax number is (225) 925-7058. However, pursuant to the Agreement for Consent Disciplinary Action, you have waived your right to appeal this disciplinary action.

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

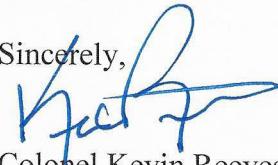
iv) No officer shall work escorts, paid off-duty details, or overtime in any pay period wherein he has taken leave without pay, been suspended without pay, placed on forced or

²³ A copy of your November 23, 2015 suspension and temporary reduction in pay letter is maintained by Internal Affairs and is available for your review upon your request.

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administrative leave, or worked at a reduction in pay as a result of a disciplinary action unless authorized by the appointing authority.

Sincerely,



Colonel Kevin Reeves
Superintendent, Louisiana State Police

c: Lt. Col. Mike Noel
Lt. Col. Jay D. Oliphant
Major James McGuane
Captain Donovan Archote
Internal Affairs
Office of Legal Affairs
Human Resources Management

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