



JOHN BEL EDWARDS
GOVERNOR

KEVIN W. REEVES, COLONEL
DEPUTY SECRETARY

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

MAY 10, 2019
4750/0501/MMG/19-22347
HQ2-1691-19

TPR. PHILLIP VANGESSEL
LOUISIANA STATE POLICE – TROOP G

VIA PERSONAL DELIVERY

RE: 24 HOUR SUSPENSION

Dear Trooper VanGessel:

In accordance with State Police Commission Rules 12.1, 12.2, and the authority delegated to me by Colonel Kevin Reeves, you are hereby notified that you are being suspended from duty for 24 working hours without pay and allowances. Your suspension will begin at 1800 hours on May 29, 2019 and will end at 0600 hours on May 31, 2019. You are being suspended for the following reasons:

On February 1, 2019 at 10:42 p.m., you were working regular duty when you conducted a traffic stop on a 2018 white Ford Fusion for speeding 76 M.P.H. in a 55 M.P.H. zone and swerving. The vehicle was traveling southbound on US 371 and stopped just south of Rice Road in Webster Parish. Your body-worn camera (BWC) was activated at the time and recorded the traffic stop. You made contact with the driver who was later identified as Ms. Teresa Cotton, identified yourself to her, informed her she was being stopped for speeding and swerving, and asked her what was going on. As Ms. Cotton responded to your question, she advised you that her twin brother was Ted Lewis. When you asked her who Ted Lewis was, she advised you he was the Chief of Police of Sarepta.

As Ms. Cotton attempted to locate her driver's license information you requested, you asked her for her brother's phone number. Ms. Cotton retrieved her phone from her vehicle and returned to your location. As Ms. Cotton searched in her phone for the number, she advised you that she did not have her glasses on and it was hard to see. She further stated that she did not want to call Mr. Lewis because he would worry; however, a call was connected to Mr. Lewis. When she began to speak to Mr. Lewis, you told her to let you speak to him and she handed you the phone. After the person on the phone confirmed to you that he was Ted Lewis, Ms. Cotton's

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brother and former Chief of Sarepta, Louisiana, you asked him if there was any way he could get someone to come with him to meet you and Ms. Cotton. You further advised him that you hadn't "checked her out yet," but you could smell a "very strong odor of alcohol coming off her breath." You advised Mr. Lewis that you were trying to do him a favor and hoped someone would do the same for you if it were your sister.

After the phone call ended, you told Ms. Cotton you were trying to do her a favor and told her she needed to be completely honest with you. You proceeded to ask Ms. Cotton how much alcohol she had to drink and she told you "probably a six pack." You told Ms. Cotton that you were allowing Mr. Lewis to take her home, as a favor to him out of respect. You also told her, "Otherwise, I'd be taking you to jail for DWI," you could "100% guarantee you are over the legal limit of .08," she was "drunk," and you could "strongly smell the alcohol" on her breath.

When Mr. Lewis arrived, you handed him Ms. Cotton's keys and told him, "I'll let you handle it from here." You told Ms. Cotton that she had been arrested two times in the past for DWI, and advised this could have been her third offense. You knew this because, prior to Mr. Lewis' arrival, you accessed Ms. Cotton's Computerized Criminal History (CCH) through the Louisiana Law Enforcement Telecommunications System (LLETS), which showed an arrest record that included two prior charges for Driving While Intoxicated on November 24, 2007 and July 26, 2010, respectively.

On February 2, 2019 between 7:00 p.m. – 8:30 p.m., Lt. Mickey Mondello and Sgt. Robert Perry were at Troop G's front desk when you told them about a traffic stop you conducted the night before on US 371 in Webster Parish. You said the driver, Ms. Teresa Cotton, identified herself as being the sister of Mr. Ted Lewis, who is the Ex-Chief of Police for the Sarepta, Louisiana Police Department. After learning of this incident, Lt. Mondello and Sgt. Perry conducted an independent review of the video footage of the traffic stop captured from your BWC. Lt. Mondello subsequently forwarded the information regarding the stop up his chain of command. Lt. Mondello prepared a written incident report advising that you described Ms. Cotton's condition as being "bad," and you "basically let her go" because of her relationship to the chief. Lt. Mondello wrote that based on your conversation about the traffic stop and your description of the driver, he asked you if she was a "98" (Driving While Intoxicated) and you replied, "Yes."

During your interview with IA investigators,¹ you related you did not perform a Standardized Field Sobriety Test (SFST) to determine Ms. Cotton's level of impairment out of respect for her brother, Mr. Lewis, a former law enforcement officer. You made the decision to

¹ You participated in a recorded interview with Tprs. Donny Guitreau and Michael Talley on March 4, 2019. A copy of the recording is maintained by IA.

allow Mr. Lewis to take her home as a "professional courtesy." In addition to Ms. Cotton's relation to Mr. Lewis, you felt you had officer discretion, which added to your decision to allow Mr. Lewis to take Ms. Cotton home.

As described above, you documented during the stop of Ms. Cotton on February 1, 2019, that you believed she was intoxicated and could take her to jail. You admitted the same to Internal Affairs during the administrative investigation. However, you did not administer any Standardized Field Sobriety Tests to Ms. Cotton to determine if she was in fact impaired. Instead, you chose to just call a family member to pick her up because her brother was a former police officer. One of the primary missions of Louisiana State Police is to enforce the laws relating to Driving While Intoxicated. We do this by investigating suspected impaired drivers and enforcing the law regardless of the driver's familial relations. On February 1, 2019, you failed to do this.

Your above described actions and inactions violated Louisiana State Police Procedural 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:

a) A lack of knowledge in the application of laws required to be enforced.

...

c) A failure to conform to work standards established for the officer's rank, grade or position.

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


...

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

Tpr. VanGessel
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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,

A handwritten signature in blue ink, appearing to read "L. Col. Noel", with a stylized flourish at the end.

Lt. Col. Mike Noel
Assistant Superintendent/Chief of Staff
Louisiana State Police

c: Lt. Col. Jay D. Oliphant
Major Wayne Vidrine
Captain Cordell Williams
Internal Affairs
Office of Legal Affairs
Human Resources Management