



JOHN BEL EDWARDS
GOVERNOR

KEVIN W. REEVES, COLONEL
DEPUTY SECRETARY

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

February 4, 2020
4750/0501/JPR/20-22909
HQ-01-328

TROOPER JOEY SCHOUEST
TROOP C

VIA PERSONAL DELIVERY
IA #19-021, OLA #066607

Re: TERMINATION

Dear Trooper Schouest:

I am in receipt of your response to the intended termination letter delivered to you. After due consideration, I find that your termination is warranted. In accordance with State Police Commission Rules 12.1 and 12.2, you are hereby notified that you are terminated from the state police service effective Friday, February 7, 2020, at 1630 hours for the following reasons:

A complaint was made against you by Ms. Megan Neil, whom you had known for approximately fourteen years and had a dating relationship with since April of 2018. The allegations included assault, threats, and that you tracked her using the License Plate Reader ("LPR") system. At the instruction of Lt. Col. Mike Noel, an administrative investigation was conducted to determine if any Louisiana State Police ("LSP") policies and procedures had been violated by you.

Internal Affairs ("IA") investigators obtained a download of Ms. Neil's cellphone. When IA investigators reviewed the downloaded information, it was determined that several videos on her phone were of recordings from your LSP issued body worn camera ("BWC"). During a recorded interview with IA investigators Michael Talley and Kevin Ducote on October 14, 2019¹, you were shown several BWC videos and pictures of traffic stops and events which occurred while you were on duty which were found on Ms. Neil's cellphone. When you were asked if you had sent those videos and pictures to Ms. Neil, you stated that she could have sent them to herself because she had unlocked your cellphone using your finger while you were sleeping before and texted people from your cellphone.

IA investigators showed you a particular BWC video showing a search you conducted of an arrestee. When asked how that video got on Ms. Neil's cellphone, you said you had no idea

¹ A copy of this interview is maintained by Internal Affairs and is available for your review upon your request.

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Trooper Schouest
February 4, 2020
Page 2

how it got on her cellphone and that you had not sent it to her. However, evidence received from the download of Ms. Neil's cellphone showed that the video was sent from your cellphone to Ms. Neil's cellphone on February 1, 2019, at 4:33:16 pm along with a text message which said, "Don't show anyone this video. Lol." Your LSP timesheet showed that on February 1, 2019, you were on duty from 0600 to 1800, confirming you were on duty at the time the video and text message were sent from your cellphone to Ms. Neil's cellphone.

IA investigators then showed you two more BWC videos found on Ms. Neil's cellphone of a conversation you had with a civilian in a gas station parking lot. In the video, you are seen talking to the civilian about his running lights being out and about a Facebook comment he made. You told investigators you had no idea how those videos would have gotten onto Ms. Neil's cellphone. However, evidence received from the download of Ms. Neil's cellphone showed that on February 2, 2019, you and Ms. Neil exchanged several text messages related to the incident between 1:38:53 pm and 3:11:54 pm. More specifically, at 1:38:53 pm, you texted Ms. Neil, "I just let jody sevin about himself." Then, after Ms. Neil texted back, "What happened?", two BWC videos were sent from your cellphone to Ms. Neil's cellphone at 1:56:44 pm and 1:57:22 pm. The videos were followed by a text message from you at 1:57:26 pm which said, "I too trim it. It's two videos." Your LSP timesheet showed that on February 2, 2019, you were on duty from 0600 to 1400, confirming you were on duty at the time the videos were sent from your cellphone to Ms. Neil's cellphone.

IA investigators showed you another BWC video found on Ms. Neil's cellphone of an encounter you had with a civilian on May 11, 2019, which ended in a fight between you and the civilian and the arrest of the civilian. When asked by IA investigators why the video was on your cellphone, you said you wanted to watch it while you typed your report. When asked why you sent the video to Ms. Neil, you stated, "Just to show her. I have no idea. I'm wrong. I have no excuse for it." Evidence received from the download of Ms. Neil's cellphone showed that on May 12, 2019, at 2:48:23 am, the BWC video was sent via Snapchat from your cellphone to Ms. Neil's cellphone.

IA Investigators showed you a final BWC video and photo from a traffic stop you had made of a female WAITR delivery driver which were found on Ms. Neil's cellphone. When asked how the video got onto Ms. Neil's cellphone, you stated that you did not remember sending her the video. You also denied that the reason you had the video on your cellphone was to make fun of the delivery driver's weight. However, evidence received from the download of Ms. Neil's cellphone showed that the video was sent from your cellphone to Ms. Neil's cellphone on January 21, 2019 at 6:32:22 pm, and that at 6:33:56 pm, you texted Ms. Neil, "Boobs for days. Lmao."

IA investigators obtained an offline search of Louisiana Law Enforcement Telecommunication System ("LLETS") user activity for your account restricted to Ms. Neil's records. The results showed you accessed LLETS when you ran a query of Ms. Neil's license plate through the Kologik system on April 24, 2018, April 30, 2018, June 5, 2018, September 6, 2018, November 1, 2018, and November 20, 2018. These searches gave you information regarding Ms. Neil's registered vehicle(s), her personally identifying information including her name, date of birth, address, and social security number, as well as criminal history records maintained by the

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Trooper Schouest
February 4, 2020
Page 3

Louisiana Bureau of Criminal Identification and Information (the “Bureau”). During the IA interview, you admitted to running Ms. Neil’s license plate on your Mobile Data Terminal (“MDT”) once when you started dating because her plate was expired. When asked how many times you had run her plate in the past, you said you had probably run it twice. When investigators informed you that you had run Ms. Neil’s plate a total of six times and asked why you had done so, you responded, “Okay, I did it.”

As stated above, Ms. Neil alleged you had tracked her using the LPR system. When Ms. Neil advised you via text message that she was not going home on a particular day, you responded via text message with, “the lpr says differently.” When asked by IA investigators if you asked Senior Trooper Jonathan James to run Ms. Neil’s license plate through the License Plate Recognition/Reader System (“LPR”), you admitted you had, and that S/T James sent you a picture of the information through a text message. You stated your reason for asking him to run her plate through the LPR system was that Ms. Neil asked you about the LPR system cameras, so you showed her the text from S/T James and explained how the cameras work.

On June 20, 2019, Ms. Neil told Ms. Elizabeth Robichaux, her manager at Leonard J. Chabert Medical Center, that you physically assaulted and threatened her. Ms. Neil told Ms. Robichaux she was worried for her well-being and showed Ms. Robichaux pictures of damage to the door of her house and bruising on her body which she said you caused. Ms. Robichaux then alerted the hospital security manager of the situation. During the first week of July 2019, IA was contacted by Sergeant James Engel with Ochsner Chabert Security, the security office for the hospital where Ms. Neil works in the Emergency Department (“ED”). Sgt. Engel informed IA that you were no longer allowed in the hospital except on official LSP business and a photo of you had been placed at the ED reception area with a note to call security if you were seen at the hospital, as well as in the security office for reference. Sgt. Engel also stated an email went out notifying the hospital security staff that you were not allowed around Ms. Neil and that Ms. Neil was to be escorted between the hospital and her car. Sgt. Engel stated that this protocol stayed in effect for approximately three weeks.

By intentionally sending BWC videos and photos to Ms. Neil for non-law enforcement purposes, you violated the following:

- 1) Louisiana State Police Policy and Procedure Order 901- Code of Conduct and Ethics, Section 21- **Dissemination of Information**, which states in pertinent part:

- ...
- iv) A commissioned officer may remove or copy official records or reports from a State Police installation only in accordance with existing regulations and with proper authorization.
 - v) A commissioned officer may only divulge, make known, or exhibit the contents of an official file:
 - a) To a duly authorized police officer or agency official.
 - b) As provided by law and on approval of the appropriate

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Commander.

- c) When summoned by a court of competent jurisdiction or subpoena duces tecum served on the Department or its administrators.
- 2) Louisiana State Police Policy and Procedure Order 1117- Body Worn Camera & In-Car Camera Systems, Section 3- General, Subsection i- **General Use and Operations**, which states in pertinent part:

...

- f) All data, images, video, and metadata captured, recorded, or otherwise produced by the BWC and in-car camera systems are the sole property of the Department and may be viewed, released, or reproduced only in accordance with applicable laws and policy.

...

By causing S/T James to run Ms. Neil's license plate in the LPR system and release the results to you for non-law enforcement purposes, and sharing the results of the search with Ms. Neil, you violated the following:

- 1) Louisiana State Police Policy and Procedure Order 243- License Plate Recognition/Reader System, Section 2- Standard Operating Procedures, Subsection ii- **LPR System Data Sharing and Dissemination**, which states in pertinent part:

...

- ii) LPR System Data Sharing and Dissemination
 - a) LPR System data is data that pertains to open investigations and is classified as "Sensitive/Open Investigation." The information is gathered for the exclusive use of law enforcement officials in the discharge of their duties and is not open to the public.
 - b) The LPRS system and its database records and any associated media are property of the Department and are intended for law enforcement purposes only; therefore, no employee shall use or authorize the use of the LPR system and its data for reasons that are not legitimate law enforcement purposes.

...

- 2) Louisiana State Police Policy and Procedure Order 901- Code of Conduct and Ethics, Section 21- **Dissemination of Information**, which states in pertinent part:

...

- iv) A commissioned officer may remove or copy official records or reports

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from a State Police installation only in accordance with existing regulations and with proper authorization.

...

Section 4.3 of the LLETS Manual provides that LLETS information may only be obtained by "authorized criminal justice employees in the official performance of their duties within the criminal justice agency." Your last LLETS certification was on February 26, 2018. By accessing records maintained by the Bureau and the Office of Motor Vehicles through LLETS when you queried Ms. Neil's license plate in Kologik for non-law enforcement purposes, you violated the following:

- 1) Louisiana Revised Statute 15:596, **Misuse of CCH**, which states in pertinent part:

...

B. Any individual who shall acquire or distribute any criminal history record, pursuant to this Chapter and except as authorized by law and in accordance with applicable rules and regulations of the bureau, shall be fined not less than five hundred nor more than one thousand dollars, and may be imprisoned for not more than three months for each offense, or both.

- 2) Driver's Privacy Protection Act, 18 U.S.C. 2722(a), which states in pertinent part:

It shall be unlawful for any person knowingly to obtain or disclose personal information, from a motor vehicle record, for any use not permitted under section 2721(b) of this title.

By violating federal and state laws, as detailed above, you violated Louisiana State Police Policy and Procedure Order 901- Code of Conduct and Ethics, Section 3- **Conformance to Laws**, which states in pertinent part:

- i) A commissioned officer shall conform to, and abide by, the laws of the United States, the State of Louisiana, all other states of the United States and subdivisions thereof.

By telling investigators while under oath that you did not send certain BWC videos and pictures to Ms. Neil and that she must have used your finger to send them to herself from your phone while you were sleeping, when evidence collected from Ms. Neil's cellphone and your LSP time sheets showed that you did in fact send the videos and pictures to her yourself, you violated Louisiana State Police Policy and Procedure Order 901- Code of Conduct and Ethics, Section 15- **False Statements**, which states in pertinent part:

- i) A commissioned officer shall make no false statement or falsify any written report to a superior officer knowing such statement to be incorrect or misleading.

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- ii) No commissioned officer shall willfully and/or intentionally withhold any information from a report or statement, knowing such information to be relevant to the report or statement.

By sending BWC videos to Ms. Neil; causing another trooper to run Ms. Neil's license plate in the LPR system; accessing department records relating to Ms. Neil which are protected by federal and state law for non-law enforcement purposes; making false statements to investigators while under oath; and being prohibited from entering the hospital where Ms. Neil works except on LSP business with your picture being placed around the hospital; as more fully described above, you violated Louisiana State Police Policy and Procedure Order 901- Code of Conduct and Ethics, Section 4- **Conduct Unbecoming an Officer**, which states in pertinent part:

- 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.
 - ...
 - 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.

This is not the first time you have been disciplined for similar violations of policy. By letter dated November 4, 2013, you received a twenty-four (24) hour suspension for using your MDT to access vehicle registration records and criminal history records of another prior girlfriend for non-law enforcement purposes, which was discovered during an investigation into allegations you had threatened her with harm².

Any questions you may have regarding your retirement benefits should be directed to the Louisiana State Police Retirement System. Their telephone number is (225) 295-8400, and their address is 9224 Jefferson Hwy Baton Rouge LA 70809. Questions regarding your final paycheck or other benefits may be addressed to the Department of Public Safety Human Resources Office. Their telephone number is (225) 925-6067 and their address is 7979 Independence Blvd., Suite 201, Baton Rouge, LA 70806.

² A copy of this letter is maintained by Internal Affairs and is available for your review upon your request.

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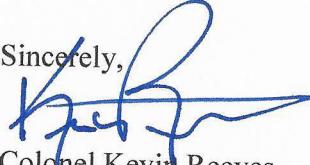
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Trooper Schouest
February 4, 2020
Page 7

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 Kevin Reeves
Superintendent, Louisiana State Police

c: Lt. Col. Mike Noel
Lt. Colonel Jay D. Oliphant
Major Darrin Naquin
Captain Frank Besson
Office of Legal Affairs
Internal Affairs
Human Resources Management

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