



JEFF LANDRY
GOVERNOR

COLONEL ROBERT P. HODGES
DEPUTY SECRETARY

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

September 24, 2024
4750/0501/JZS/24-24150
HQ-02-2238

Trooper First Class Dain Prejean
LSP Troop C, Region 2

VIA PERSONAL DELIVERY
IA# 2400016 OLA #P-200224

RE: 24-HOUR SUSPENSION

TFC Prejean:

Pursuant to the authority delegated to me by Colonel Robert Hodges, Appointing Authority under Louisiana State Police Commission (Commission) Rules 12.2 and 12.7, you are hereby notified that you are suspended for 24 hours without pay and allowances. Your suspension will begin on October 9, 2024, and end on October 10, 2024. You shall report back to your assigned duty station on October 14, 2024, at 0600 hours. You are suspended for the following reasons:

On April 29, 2024, you were issued a Letter of Counseling for violating Performance of Duties and Unsatisfactory Performance policies for low work performance from April 1, 2024, to April 25, 2024. On May 8, 2024, and May 9, 2024, a review of your work performance was done and it was documented that you recorded 3 crashes, 4 citations, 3 calls for service and initiated 1 traffic stop.

On May 14, 2024, Internal Affairs initiated an administrative investigation at my direction. Captain Saleem El-Amin assigned the investigation to Sergeant Richard Buckland, Jr. to investigate whether you violated the provisions of LSP P.O. 901 – Code of Conduct and Ethics, Section 12 – Unsatisfactory Performance.

Captain Kevin Resweber provided Sergeant Buckland with your supervisor file. Your file contained numerous counseling sessions, coaching and mentoring sessions, Corrective Action and Work Performance Plans, and documented accounts of your failure to perform your duties. This documentation spans 4 years. Specifically, your supervisor file contains 4 Letters of Counseling that have been issued to you and signed by you that discussed your lack of proactive traffic stops. In these letter you were advised that they may be used in relation to future disciplinary action.

In the Letter of Counseling dated November 29, 2020, you were counseled for your low work performance related to conducting traffic stops. The Letter states “On November 27, 2020,

and November 28, 2020, your tour of duty was from 0800 to 1800 and 0600 to 1800 hours in Terrebonne Parish. During these two days, you failed to initiate any traffic stops, which were called out either over the radio or during any stand-alone details.”¹

In the Letter of Counseling dated May 10, 2021, you were counseled for low work performance related to conducting traffic stops and lawful orders. The Letter focused on the time frame of April 19, 2021, to May 2, 2021, and in that period you worked 7 nights and only made 3 traffic stops. The Letter states “This lack of activity cannot be contributed to bad weather because the rest of your peers on shift were making traffic stops.” The Letter goes on to state “TFC Prejean, one of the main priorities of a State Trooper is the enforcement of traffic laws. Study after study has shown that by enforcing traffic laws and being visible to the motoring public, crashes and especially fatal crashes, will be reduced.”²

In the Letter of Counseling dated August 20, 2023, you were counseled for your low work performance related to conducting traffic stops. This Letter cited the time frame from July 1, 2021, through August 19, 2023, which in that time you worked 17 shifts. The Letter states “In 8 out of the 17 shifts you worked since July 1st, you failed to initiate a single proactive traffic stop.” The Letter also states, “You were spoken to and coached on the following dates about your enforcement activities and prolonged periods of inactivity (3/8, 4/1, 4/30, 5/17, 6/24, 6/29, and 7/4).” In the Corrective Action Planned contained in this Letter of Counseling, it states “Traffic enforcement is one of our main priorities as a State Trooper. You are to stay active while at work and focus on increasing your proactive enforcement primarily focusing on moving violations, seatbelt violations, and DWI detection and enforcement.”³

In the Letter of Counseling dated April 29, 2024, you were counseled for policy violations LSP P.O. 901 Code of Conduct, Section 8 Performance of Duty and Section 12 Unsatisfactory Performance. The Letter documented that you had only made 10 proactive stops since January 1, 2024. The Letter also documented your activity from April 1, 2024, to April 25, 2024. In that time period, you worked 14 shifts. During these 14 shifts, you had 12 proactive traffic stops; you issued 34 citations; you had zero proactive DWI investigations; you had 3 non-proactive DWI investigations; and you investigated 11 crashes.⁴

Your supervisor file also contained documentation of Coaching and Mentoring sessions which were held between your supervisor at that time and yourself. In one session dated June 29, 2023, (then Sergeant) Lieutenant Garret Leboeuf met with you about your proactive traffic stops being low. During this mentoring session, it was discussed for you to have a goal of 5 to 6 proactive citations per shift.

As part of the Internal Affairs investigation, a review of your work activities as reflected in Mark 43 was done for the period of April 1, 2024, to May 23, 2024. You worked a total of 35

¹ Exhibit 1 – Letter of Counseling dated November 29, 2020

² Exhibit 2 – Letter of Counseling dated May 10, 2021

³ Exhibit 3 – Letter of Counseling dated August 20, 2023

⁴ Exhibit 4 – Letter of Counseling dated April 29, 2024

days in this period. You had 36 “Call for Service” labeled events listed as “Traffic Stop.” This placed you at 1.02 traffic stops per shift. Of the 36 “Traffic Stop” calls for service, 29 were labeled in the “Disposition Description” as “Citations Issued.” This placed you at 0.83 citations issued per days worked. In addition to the Traffic Stop and Citations Issued, an entire list of your work activities for this period was exported from Mark 43, which consisted of:

Property Crashes – 27	Traffic Detail – 2
Escort – 4	Abandoned Vehicle – 13
Injury Crash – 7	Traffic Complaint/Complaint – 2
Assist Other Agency – 5	Road Hazard – 9
Reckless Driving – 5	Physical Inspection – 2
Tower Check – 6	Disabled Vehicle – 7
Suspicious Person/Vehicle – 1	School Visit – 1
Hit and Run – 3	Patrol Follow-Up – 4

On June 13, 2024, you were interviewed by Sergeant Richard Buckland, Jr. and TFC Tony Washington. The Interview took place at Louisiana State Police Headquarters, 7919 Independence Blvd., Baton Rouge, LA., 70806. During your interview, you were asked about your work performance and if you had any issues with the contents of the Letter of Counseling you received on April 29, 2024. You stated that you had minor discrepancies on how your work performance was initially brought up but you had no issues with the actual documentation of your low work performance. You also stated that you had no reason to believe Mark 43 has not tracked your work performance properly. You were asked what specific guidance you have received from Letters of Counseling that were issued to you and/or the coaching and mentoring sessions with your supervisors. You stated that you have been told 4 to 6 proactive traffic stops per shift should be a goal for you to work towards. You stated that you believed that you were not the highest, but also not the lowest when it came to writing tickets and you try to get at least 3 to 4 proactive traffic stops per shift if you are not working anything else.

During your interview, you were presented with a randomized spreadsheet breakdown of 7 Troop C troopers and their work performance. You were requested to select which trooper you thought you were on the random list. You selected the trooper with the 85 traffic stops. You were informed that you were the trooper with 36 traffic stops. Out of the 35 days you worked, you had 36 traffic stops listed, which averaged 1.02 traffic stops per day. After you saw your number compared to 6 other troopers, you were asked if you believed your work performance was comparable to the other troopers on the randomized list. You stated that you thought it was acceptable. When you were told that your ratio of traffic stops per day was 1.02, you responded by asking “is that the only thing that defines your work?” You stated that you had a higher number of crashes worked compared to other troopers. You were told that you received numerous Letters of Counseling and had coaching sessions pertaining to your lack of proactive traffic stops. You replied that you are productive and handle other obligations of the job. You were asked why you have not met the standards given to you by your supervisors and you responded, “Other things on the job, I haven’t been the most motivated in recent years. There is always room for improvement.”

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You were asked if you had ever received instruction from a supervisor that conducting one traffic stop per shift was adequate work. Your response was that the instruction was typically just a notification for lack of work performance and the need to improve. You stated “No one has ever broken it down the extent in which you have that I recall. You know. In the Letter of Counseling, it was just general numbers.”

You were reminded of the counseling session with Lieutenant Leboeuf on June 29, 2023, in which the goal of 5 to 6 proactive citations per shift was discussed. You were asked if you met this goal in the past 2 months. You first responded, “I’m not trying to evade, it just depends on what you have going on.” Then you responded “No.” You stated that there are a lot of factors that can affect someone’s work performance and repeated that there is always room for improvement. You were asked if it is acceptable for a trooper to average zero traffic stops and you stated “Uh, I wouldn’t speak on that because it would depend. Does he have another assignment. There are so many variables to consider. I don’t want to sound evasive about it.” You were asked if you believe a road trooper that worked 30 to 40 days and conducted zero traffic stops was acceptable and you responded “No.” You were asked what you believed was acceptable for a road trooper related to proactive traffic stops and you replied, “I guess 3, 4 or 5.” You were asked if you met your own understanding of acceptable work and you answered “No. I mean, obviously.”

During your interview with Internal Affairs, you acknowledged receiving multiple Letters of Counseling related to your low work performance. You also confirmed that in a coaching session with Lieutenant Leboeuf on June 29, 2023, you were given the goal of issuing 5 to 6 proactive citations per shift. When asked if you had met this goal in the two months leading up to your interview on June 13, 2024, you admitted that you had not. When questioned about why you hadn’t met the standards set by your supervisors, you acknowledged a lack of motivation in recent years and recognized the need for improvement. When asked if it was acceptable for a road trooper to work 30 to 40 days without conducting any traffic stops, you answered no, and stated that you believed a reasonable number would be 3 to 5 proactive stops per shift. However, you also admitted that you had not met this expectation. From April 1, 2024, to May 23, 2024, over the course of 35 working days, you initiated 36 traffic stops, averaging 1.02 stops per shift. You admitted that you failed to meet the performance standards clearly outlined by your supervisors regarding proactive traffic stops. By your failure to conform to these work standards, you have violated LSP P.O. 901-12 Unsatisfactory Performance, which states in pertinent part:

- i. A commissioned officer shall maintain a competency level sufficient to properly perform their duties and assume the responsibilities of their 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.
 - b. An unwillingness or inability to perform assigned tasks.
 - 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.

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- e. An absence without leave.
- f. Repeated poor evaluations.

For the above listed policy violations, you are hereby suspended without pay and allowances for a total of 24 hours for violation of LSP P.O. 901-12 Unsatisfactory Performance. Any future violations of this of 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.

Sincerely,

Lieutenant Colonel Frank Besson
Assistant Superintendent, Louisiana State Police

cc: Colonel Robert Hodges
Lieutenant Colonel Joseph Hasselbeck
Major Beau Comeaux
Captain Kevin Resweber
Internal Affairs
Office of Legal Affairs