

Carencro Municipal Fire and Police Civil Service Board

Meeting held on May 7, 2019 @ 2:30 p.m.

@ 210 E St Peter St, Carencro City Hall

Present were: Walter Cain Smith- Chairman
Todd Olivier- Co-chairman
Andrew Herban- Fire Department Rep
Brian Viator- Governing Authority Board Member
Kenneth Wilson- Police Department Rep

Absent: None

Also present: Mayor Glenn Brasseaux
City Manager Donald Chauvin
Police Chief David Anderson
Fire Chief David Mouton
Assistant Police Chief Ronnie Richard
Police Officer Conrad Callegari
Karen Savant, Secretary

Meeting called to order by Chairman Smith @ 2:39p.m. followed by the pledge.

Old business

1. Motion to approve minutes from April 16, 2019, and dispense of reading minutes made by Andrew Herban and seconded by Brian Viator, all in favor.

New business

2. Appeal for police officer Conrad Callegari.

Chairman opened the floor for Police Chief David Anderson to speak.

Chief Anderson began by addressing the board with the evidence the police department had. He stated that Officer Callegari is appealing a 1 day suspension from the department. On December 30, 2018, Captain Kenneth

Quillens was notified by Sgt. Joshua Alvarez that Officer Callegari was involved in a fleet accident at his residence, he backed into a metal pole.

Captain Kenneth Quillens met with Officer Callegari and had him sign his Garrity and bill of rights, which were signed on January 31, 2019. Captain Quillens reviewed the video from police unit 23, but he was unable to see any footage of the fleet accident on camera. Once Captain Quillens completed the investigation, he concluded that the accident was preventable. Damages are between \$650 and \$700.

Captain Quillens reviewed further due to this being Officer Callegari third fleet accident since 2016. Upon looking into video, Captain Quillens observed three other actions violating police department policy as well as unsafe acts while operating a police vehicle.

1. On December 26, 2018 Officer Callegari responded to a disturbance in progress call. As he is responding, video shows Officer Callegari responding to or viewing a text message. Even though 32:300.5 does exempt police officers from that law, Chief Anderson advised it does not exempt them from Carencro Police Policy 161 4-D;
 - a. All employees operating a department vehicle shall exercise good judgment in utilizing it. Employees shall drive department vehicles with reasonable caution to conserve their usefulness and preserve them at their highest operating efficiency. No employee shall operate the department vehicle so as to reflect discredit to the department.,
2. On December 27, 2018 Officer Callegari responded to a trespass call and Captain Quillens observed in the video that the roadways were wet, the video showed the police vehicle was traveling at speeds up to 70 mph, the speed limits on the city streets he traveled on were 35 and 40 mph. Carencro Police policy 501 2A1, states; On or off duty employees responding to emergency calls shall not exceed the posted speed limit by more than twenty miles per hour. The fact that the caller indicated someone was knocking on her door, does not warrant an emergency response.
3. On December 31, 2018, Officer Callegari responded to a call on Sonnier Road, to assist LPSO. While enroute to the call, Officer Callegari failed to hear that another officer had arrived on the scene and was assisting. Officer Callegari continued to respond in a emergency manner, traveling at speeds up to 70 mph in a 35 mph zone on Veterans Drive, also passing vehicles on the right. The fact that that two officers were already on the scene, there was no need for emergency response, jeopardizing the safety of other motorist and himself. This again is in violation of Carencro Police policy 501 2A1, listed above.

Captain Quillens forwarded his investigations findings to Chief Anderson and they decided that it is in the best interest of the department to hand

down a one day suspension and he also lost the privilege of taking home his departmental issued vehicle for one month.

One day suspension is two calendar days but Officer Callegari is working night shift, therefore it actually one day or 12 hours. Take home vehicle is a privilege and is not part of a contractual agreement.

Board member Andrew Herban asked if this was the first steps in correcting the issue or if other steps had been taken and if not was this because of the severity of the action. Chief Anderson advised that they looked at the totality of the circumstances and it not being the first time that he was involved in a fleet accident.

Officer Conrad Callegari was then given the opportunity to state his side of the appeal.

Officer Callegari began by stating that on January 31, 2019 he was called into the office by Captain Kenneth Quillens, who advised him that two internal affairs investigations were being conducted on him, one for damage to a patrol unit and another for policy violations involving his patrol unit. During this conversation he was provided a document which advised an investigation began on January 28, 2019 and later document dated 3/15/19 stated the investigation began on 1/7/2019. Which he stated conflicts and would have lasted longer than the 60 days stipulated in civil service guidelines. Quoting statute 40:2531. He stated he is unsure of when the investigation began. During this conversation he was not given the details on what the investigation involved, only that one of the investigations involved him backing into a pole and the other to three policy violations in the departmental vehicle. He was not notified of the details until March 22, 2019.

In response to him damaging departmental vehicles three times, the first incident he advised he backed into a shopping cart, causing a scuff on the rear bumper, removed with very little effort. The urine test which is standard after a crash was not issued, appears as what was a non-issue then is now an issue.

Cell phone issue refers to 32:300.5, which exempts police officers.

In document provided to him on January 28, 2019, reason given to him was if it violates LARS it violates departmental policy.

Reference to speeding issue, he treats calls as a personal issue and advised dispatch doesn't accurately relay complete information of call. Officer Callegari stated the call he responded to advised someone was fearful because someone was outside her residence, dispatched as a

trespassing in progress. General order 502 advises to take into consideration multiple factors when responding to a call. Factors he saw were time of day, day of week, led to little traffic on the roadway and he responded accordingly.

Document given to him by Captain Quillens states that the video does not show him arriving on scene but the very next video in sequence continues from the last, showing him arrive on scene.

The last speeding issue was a call he responded to dispatched as a subject with a knife in hand. LPSO specifically requested Carencro Police respond, after stating they had a subject at gunpoint with a knife in his hand. He did not recall hearing his fellow officer arrive on scene. Prior to arriving on scene, Callegari had already turned off lights and sirens. Callegari advised if he was driving fast it was on straight sections of road with little to no traffic.

Auditory exclusion is a common factor and often two radios have traffic simultaneously. Radio was monitored but does not recall hearing officer arrive on scene. Callegari states the all officers have access to the camera system and can view any other officers video at the department. At no time, prior to initial conversation with Captain Quillens, at the end of January, was he advised that his speeding was an issue nor was he ever counselled or spoken to in any capacity about phone use or speeding whether on or off duty.

Officer Callegari also expressed issues of his FTO status. Chairman Smith advised that this was not an issue on the PAF nor on Callegari's appeal. Chairman advised Callegari that if he would like he can file an appeal for his FTO grievance.

Chairman Smith asked for timeline again of when Captain Quillens called him in, Callegari responded January 31, 2019, which advised the investigation, began on January 28, 2019. March 15, 2019 he received document stating investigation began on January 7, 2019.

Board Member Kenneth Wilson asked which investigation was that pertaining to on January 7, 2019, Officer Callegari was not sure and advised that is was all lumped together after initial conversation.

Callegari would like to note that in the video he is actively backing out of a text message and only hitting the back button on the phone. Wilson also asked if Callegari was operating his vehicle prior to activating emergency lighting, which ultimately activated the recording. Callegari was unsure. Wilson also asked if the text was in reference to law enforcement duties, Callegari was unsure and unable to locate the text in question any longer.

Wilson asked if he has ever received any counseling statements, written reprimands or any verbal counseling for speeding or phone use prior to this PAF. Callegari advised that is correct.

Chairman Smith asked Callegari if he was familiar with Carencro Police policy regarding to response, Callegari advised he is. Smith asked specifically the speed when responding, Callegari advised yes.

Board member Herban asked if Chief Anderson could clear up the conflicting dates. Anderson responded that it one date was when Captain Quillens did the initial investigation into the fleet incident.

Both parties did address again the FTO status and employee evaluation. The board again concluded that had nothing to do with this proceeding.

Board member Wilson asked that any and all comments regarding his FTO grievance and employee evaluation be stricken from today's appeal. Agreed by all board members.

Chairman Smith advised Callegari that if he would like to make a formal appeal for his FTO status he can do so. It was concluded that today would only be regarding the current PAF at hand.

Assistant Police Chief Ronnie Richard would like to note that Officer Callegari signed his acknowledgement of the investigation on January 31, 2019. The fleet accident occurred over the holidays, happened at his residence and didn't involve other vehicles, so it was handled a little bit differently. Upon returning from the holidays, Captain Quillens began his investigation. The investigation was not started as an IA investigation, rather a supervisor investigation. Once Captain Quillens saw there were possibly some policy violations, he terminated the investigation. Quillens then prepared the paperwork for Callegari to be notified of the investigation. Which is the paperwork dated and signed by Callegari.

The board ended the proceedings today and will conduct independent investigations. The board will schedule another meeting once it is complete.

Kenneth Wilson made a motion to adjourn the meeting, Todd Olivier seconded, all in favor. Chairman Smith adjourned the meeting at 3:29 p.m.

Minutes submitted by

Karen Savant, Secretary

May 8, 2019

A handwritten signature in black ink, reading "Walter Cain Smith II". The signature is written in a cursive style with a large initial "W" and a stylized "II" at the end. A horizontal line is drawn below the signature.

Walter Cain Smith II, Chairman