



**JOHN BEL EDWARDS**  
GOVERNOR

**KEVIN W. REEVES, COLONEL**  
DEPUTY SECRETARY

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

**OCTOBER 2, 2017**  
**HQ-1-045-17**

**Lt. Rodney Hyatt**  
Operational Development

**VIA PERSONAL DELIVERY**  
**IA #17-006**

**Re: DEMOTION**

**Dear Lt. Hyatt:**

Please be advised that I am in receipt of your response to the intended demotion letter you received. I have thoroughly considered your response, a copy of which is labeled as Hyatt Response and is attached hereto and made a part hereof. Your response merely attempts to shift responsibility for your actions onto others. You claim that a trip like this has never been done before, however, you want us to believe that for two months prior to the trip, you did nothing to prepare a route or stops along the way. Every interpretation of policies or regulations you offer leads to you benefitting monetarily. Although you still maintain you did not violate any policies or procedures relating to your travel to and from San Diego, you submitted \$1,304.90 to the agency as reimbursement for excess expenses and paid time. After due consideration, I find that your demotion is warranted.

Pursuant to the authority granted by State Police Commission Rules 12.1 and 12.2, you are hereby notified that effective at 4:30 p.m. on Monday, October 2, 2017, you are hereby demoted from the rank of Louisiana State Police (LSP) Lieutenant (P3-17) to LSP Sergeant (P2-17) with the corresponding permanent reduction in pay<sup>1</sup>, for the following reasons:

You are currently a Louisiana State Police Lieutenant assigned to the Planning Unit in Operational Development at State Police Headquarters. Your job duties include serving as the Executive Officer of the Operational Development Section which is responsible for Strategic planning, staff inspections, public information, policies and procedures, legislative detail, and grants management. You are also responsible for performing all

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<sup>1</sup> Your pay will be reduced from \$99,795.54 annually to \$90,313.60 annually.

functions and duties of the Captain during his absence. You directly supervise one state police sergeant and one civilian employee. You served in this position since November 12, 2012, and were serving in this position in October 2016.

In October 2016, you attended the State and Provincial Police Planning Officers Section (SPPPOS) Meeting as part of the International Association of Chiefs of Police (IACP) 2016 Annual Conference and Exposition in San Diego, CA. According to the SPPPOS agenda, the meeting began with the opening ceremony and welcome remarks at 9:00 a.m. on Thursday, October 13, 2016, and concluded at 4:00 p.m. on Saturday, October 15, 2016. According to the agenda, the general IACP Conference began on Saturday, October 15, 2016 at 8:00 a.m. and concluded at 4:30 p.m. on Tuesday, October 18, 2016.

Questions regarding the expenses related to your travel to and attendance at the SPPPOS Meeting and the IACP Conference arose, and an administrative investigation was conducted by Internal Affairs investigators. The following was determined through investigation:

You advised Internal Affairs investigators that on October 10, 2016, you arrived at LSP Headquarters to meet with other troopers<sup>2</sup> with whom you would be traveling in a Department owned vehicle to San Diego, CA. The intention was to depart Headquarters at 0700 hours. Prior to departure you went to the Department of Public Safety Cafeteria at LSP Headquarters in Baton Rouge, LA, where you met with Colonel Mike Edmonson, and Lt. Colonel Charlie Dupuy. At that time, there was a discussion regarding your travel plans, including the driving route that would be taken, which route was referred to by Colonel Edmonson as the "Northern Route."<sup>3</sup> This route is not the most direct route from Baton Rouge, LA to San Diego, CA.<sup>4</sup> You mentioned during that discussion stops you planned to make at locations including the Grand Canyon, Hoover Dam, and Las Vegas, NV, but did not disclose that you would be staying overnight at any of those locations. Although your exact departure time could not be determined, fuel records show that at approximately 0809 hours, you fueled the vehicle in which Group 1 traveled at the LSP Headquarters gas pumps.

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<sup>2</sup> The persons traveling with you were Major Derrell Williams, Trooper Thurman Miller and Alexandr Nezhodinsky, and your wife who is not a Department employee(hereinafter Group 1).

<sup>3</sup> The "northern route" consists of driving north on I-40 to Amarillo, TX, west on I-40 to Barstow, CA, and south on I-15 to San Diego, CA. According to Google Maps, the distance is 1,932 miles and takes approximately 28 hours and 30 minutes from Baton Rouge, LA, without stops.

<sup>4</sup> Louisiana State Travel Regulation S1502 – Definitions, Section A, Travel Routes, provides that the most direct traveled route must be used by official state travelers.

Group 1 traveled that day through Shreveport, then Dallas, and stopped for the evening in Amarillo, TX and spent the night at the Courtyard by Marriott Hotel<sup>5</sup> at 724 S. Polk Street. The hotel receipt for your room which you shared with your wife showed the rate that night as \$149.00 plus taxes and fees, for a total charge of \$172.49.

On October 11, 2016, Group 1 departed the hotel at approximately 0600 hours and traveled west on I-40 until exiting onto Arizona Hwy 64 and traveling north approximately 61 miles to the Grand Canyon Village where Group 1 visited for approximately two hours<sup>6</sup>. Group 1 then traveled south on Hwy 64 to the area of the Holiday Inn Express at 226 Hwy 64 in Tusayan, AZ, ate supper at a nearby restaurant, and checked into the hotel at approximately 2000 hours. The hotel receipt for your room which you shared with your wife showed the rate that night as \$229.00 plus taxes and fees, for a total charge of \$253.96.

On Wednesday, October 12, 2016, after breakfast Group 1 checked out of the hotel at approximately 0920 hours, you traveled south to I-40, then headed west until exiting onto US 93, and traveled north to the Hoover Dam. Group 1 remained at the Hoover Dam for at least an hour, and then continued travel to Las Vegas, NV. You checked into the Palazzo Hotel at approximately 1530 hours. The hotel receipt for your room which you shared with your wife showed the rate that night as \$159.00 plus taxes and fees, for a total of \$217.28.

On Thursday, October 13, 2016, Group 1 departed Las Vegas, NV at approximately 1030 hours. The SPPPOS Annual Meeting for which you were registered to attend began at 0900 hours that morning and lasted until 1700 hours. Group 1 did not arrive in San Diego, CA until approximately 1530 hours. After attending a short portion of the SPPPOS meeting, you met Group 1 at a restaurant for dinner and later checked into your lodging<sup>7</sup>.

On Friday, October 14, 2016, you attended the SPPPOS Meeting and then attended a dinner function with Taser representatives and other LSP personnel that evening at the "Puesto at the Headquarters" restaurant.

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<sup>5</sup> Fuel records show that stops were made for fuel in Shreveport, LA, Wichita Falls, TX, and Childress, TX. Photos provided by you from your wife's cell phone show a stop was made at Buc-ee's in Terrell, TX, and somewhere in Wichita Falls, TX.

<sup>6</sup> Fuel records show that stops were made for fuel in Tucumcari, NM, Laguna, NM, and Winslow, AZ. Photos provided by you from your wife's cell phone were taken at the NM/AZ state line, Chee's Indian Store in AZ, and at the Grand Canyon.

<sup>7</sup> According to your expense reimbursement account, your lodging was double occupancy in a condominium with another trooper as a cost savings measure, and the costs were paid by the other trooper.

On Saturday, October 15, 2016, you attended the SPPPOS Meeting as well as some of the State and Provincial Police activities. Later in the afternoon, you registered for the IACP conference and then went to a local establishment to watch the LSU football game and meet with Motorola representatives regarding a records management system.

On Sunday, October 16, 2016, you were tasked, along with Trooper Nezgodinsky, with transporting Colonel Mike Edmonson and others to a luncheon at the Torrey Pines Golf Course in La Jolla, CA. Records show that the state vehicle in which you traveled was fueled at 0827 hours. You arrived at Torrey Pines sometime between 1030 and 1100 hours. After the luncheon, you went with others to the Nine-Ten Restaurant & Bar, and George's at the Cove in La Jolla, CA. You returned to San Diego, CA, but could not specifically recall your activities that evening.

On Monday, October 17, 2016, you attended the IACP Vendor Exposition most of the day. At approximately 1530 hours, you and your wife went to the San Diego Zoo for about an hour and a half, and then went to La Jolla, CA, until approximately 1911 hours. Later that evening you attended the IACP Chiefs Night event at Petco Park.

Tuesday, October 18, 2016, you attended the IACP Conference in the morning and departed for home around lunch time with your wife, Major Williams and Trooper Miller (hereinafter Group 2). Your hotel receipt showed that you checked into the Quality Inn Hotel in Deming, NM at approximately 2233 hours<sup>8</sup>. The cost of your room which you shared with your wife was \$55.25 plus taxes and fees, for a total charge of \$62.69.

On Wednesday, October 19, 2016, Group 2 departed the hotel in Deming, NM at approximately 0815 hours and traveled to San Antonio, TX, where you checked into the Hyatt Regency Hotel at approximately 1903 hours, and then ate dinner<sup>9</sup>. The cost of your room which you shared with your wife was \$154.24 plus taxes, fees, and parking, for a total charge of \$209.12.

On Thursday, October 20, 2016, Group 2 checked out of the hotel in San Antonio, TX at approximately 0811 hours and traveled to the Alamo to take photos. Group 2 then traveled to Baton Rouge, arriving at LSP Headquarters at approximately 1700 hours<sup>10</sup>.

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<sup>8</sup> Fuel records show stops were made for fuel in Yuma, AZ, Eloy, AZ, and Lordsburg, NM. Photos you provided from your wife's cell phone show a stop was made in Yuma, AZ at the Yuma Territorial Prison State Park.

<sup>9</sup> Fuel records show stops were made for fuel in Sierra Blanca, TX, Ozona, TX, and Kerrville, TX.

<sup>10</sup> Fuel records show stops were made for fuel in Luling, TX and Beaumont, TX.

You subsequently submitted a timesheet claiming hours worked for your travel and training, and submitted a travel expense account claiming reimbursement for related expenses, including meals and lodging. You initially prepared a timesheet that you submitted to Captain Greg Graphia for approval as evidenced by Exhibit A attached hereto and made a part hereof. You claimed to have worked every single hour from 0600 hours on October 10, 2016 to 2230 hours on October 13, 2016 – 88 straight hours including 32 hours of regular duty time and 56 hours of overtime paid at the time and one half rate (T1)<sup>11</sup>. These hours included time that you slept, went sightseeing, and even saw a show in Las Vegas. Additionally, beginning at 0800 hours on Tuesday, October 18, 2016, you claimed to have worked every hour until 1700 hours on Thursday, October 20, 2016 – 56 straight hours including 26 hours of regular duty and 30 hours of T1 overtime. Your timesheet also reflected that you claimed an additional 36 hours of T1 overtime relating to your time in San Diego, CA. You forwarded this version of your timesheet to Troopers Miller and Nezgodinsky to show them how to claim their time for the travel and training.

Captain Graphia questioned your timesheet in regard to the hours claimed for your travel. You advised him that you believed you were “in transit<sup>12</sup>” the entire time from when you left Baton Rouge until you arrived in San Diego, CA and were therefore entitled to payment for your time. Captain Graphia advised you that “in transit” was the actual time you were traveling in the vehicle as part of the commute, which did not include time sleeping or personal activities.

You then adjusted your timesheet to reflect that you worked 12 hours per day from 0600 to 1830 hours on October 10, 11, 12, 18 and 19, and 11 hours from 0600 hours to 1730 hours on October 20, 2016 – your travel days. A copy of this timesheet is labeled as Exhibit B and is attached hereto and made a part hereof. This change reduced your T1 overtime associated with the travel and training from 122 hours (\$8,834.02) to 71 hours (\$5,141.11). You then forwarded these changes to Troopers Miller and Nezgodinsky to prepare their timesheets related to the travel and training, which they did. You admitted to IA investigators that you just estimated your travel time on your adjusted timesheet and did not determine the actual time you were on duty.

Based on the investigation, the below chart compares your work hours as claimed on your adjusted timesheet, versus hours as you should have claimed your self-described work related activity:

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<sup>11</sup> Your rate for time and a half overtime is \$72.41 per hour.

<sup>12</sup> LSP P.O. No. 201 - Accrual of time, Overtime and Compensatory Time, Section 4- Accrual of Time, Subsection xvi states, “An employee required by the Department to attend court, a school, seminar, training session, re-trainer, or convention shall claim the actual time spent in transit as work time.”

Date	In/Out Time Claimed on Timesheet - Lt. Rodney Hyatt			In/Out Time determined by Investigators		
	In Time	Out Time	Total Hours	In Time	Out Time	Total Hours
10/10/2016	6:00	18:30	12	6:00	0:30	18.5 <sup>1</sup>
10/11/2016	6:00	18:30	12	5:00	16:00	11 <sup>2</sup>
10/12/2016	6:00	18:30	12	10:30	13:30	3 <sup>3</sup>
10/13/2016	8:00	22:30	14	12:00	22:30	10.5 <sup>4</sup>
10/14/2016	8:00	22:30	14	8:00	22:30	14
10/15/2016	8:00	22:30	14	8:00	22:30	14
10/16/2016	9:00	21:30	12	9:00	21:30	12
10/17/2016	9:00	21:30	12	9:00	21:30	8.5 <sup>5</sup>
10/18/2016	6:00	18:30	12	9:30	22:30	12 <sup>6</sup>
10/19/2016	6:00	18:30	12	7:00	20:00	12 <sup>7</sup>
10/20/2016	6:00	17:30	11	8:00	17:30	9.5 <sup>8</sup>
			137			125

1. Total allowable time, including travel time
2. Travel time on I-40 to Hwy. 64
3. Travel time from I-40/Hwy. 64 to Ringman, AZ
4. Travel time to San Diego, CA and work related time in San Diego. Deducted 1.5 hours which group incurred to go to Las Vegas
5. Deducted 1.5 hours for San Diego Zoo trip / La Jolla, CA
6. In time / Out time reflects 1.5 hours. Total hours adjusted 1 hour for time zone difference
7. In time / Out time reflects 1.5 hours. Total hours adjusted 1 hour for time zone difference
8. Deducted 1.5 hours for outdoor day / Executive hours

You also prepared a Travel Expense Account to be reimbursed for meals relating to your travel and training. On the first one you prepared and submitted, a copy of which is labeled as Exhibit C and is attached hereto and made a part hereof, you claimed reimbursement for three meals per day at the Tier III level (\$61.00 per day) for October 10 to 19, 2016, and two meals at the Tier III level (\$29.00), for October 20, 2016, totaling \$639.00. You merely listed in the "Territory Traveled Show All Points Traveled" blanks "Baton Rouge to San Diego, CA" on October 10, 2016, "IACP/ SPPPOS Conference San Diego, CA" on October 11-19, 2016, and "San Diego, CA to Baton Rouge, LA" on October 20, 2016. You were not even in San Diego, CA on October 10, 11, 12, 19, or 20.

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You provided this expense account you prepared to Troopers Miller and Nezgodinsky, to guide them on how to prepare their travel expense account for reimbursement. On or about October 28, 2017, you were subsequently paid this amount by the Department to reimburse you for your meals.

When your reimbursement documents were reviewed prior to release pursuant to a public records request received in November 2016, questions arose regarding the amounts you claimed for reimbursement for meals. You claimed Tier III meals, each day, even though you did not stay in a Tier III location each day. When this was brought to your attention, you then submitted a revised travel expense account, a copy of which is labeled as Exhibit D and is attached hereto and made a part hereof. Your revised form reflected the actual locations you visited, and adjusted the tier for your first three days from Tier III to Tier II. This reduced the amount to be reimbursed to you from \$639.00 to \$624.00.

During the administrative investigation, you prepared a third travel expense account, a copy of which is labeled as Exhibit E and is attached hereto and made a part hereof. Revisions you made on the third travel expense account included omitting all meals for October 11 and 12, 2016. Additionally, you submitted a personal check dated March 24, 2017, in the amount of \$1,304.90, to the Office of Management and Finance for reimbursement for meals in the amount of \$127.00, fuel and vehicle use of \$199.79, lodging in the amount of \$471.24, and overtime payment for seven hours in the amount of \$506.87<sup>13</sup>.

During the investigation, it was determined that the \$250.00 registration fee the Department paid for you to attend the SPPPOS Meeting on October 13, 14 and 15, 2016 included lunch for those three days. Therefore, in accordance with State Travel Regulation S1506 – Lodging and Meals, Section 4 – Travel with Overnight Stay, Subsection C – Meals and Lodging, you cannot request/receive additional reimbursement for that meal<sup>14</sup>.

Additionally, the manner in which you determined the tier at which you should claim reimbursement was not consistent. Sometimes you claimed the tier related to the city in which your travel that date began, and sometimes you claimed the tier related to the city in which your travel ended. You should have claimed the tier for the city in which you spent the night. Therefore, October 12, 2016, when you stayed in Las Vegas, NV, should

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<sup>13</sup> This was the day after you were interviewed by Internal Affairs Investigators Captain David McClendon and Trooper Donny Guitreau. Additionally, you determined these amounts on your own and were not instructed to repay these amounts by IA.

<sup>14</sup> This section provides in part, "If a meal is included in a conference schedule, it is part of the registration fee, therefore, and employee cannot request/receive additional reimbursement for that meal."

have remained at Tier III, and October 18, 2016 when you stayed in Deming, NM should have been Tier II, and October 20, 2016, when you returned to Baton Rouge, LA should have been at Tier I<sup>15</sup>.

It was also determined that your lodging expenses for Amarillo, TX,<sup>16</sup> Tusayan, AZ (Grand Canyon), and Las Vegas, NV, exceeded the allowable amounts. You received reimbursement for \$58.99 over the allowable rate in Amarillo, TX, \$138.00 over the allowable rate at the Grand Canyon, and \$33.00 over the allowable rate in Las Vegas, NV, for a total excess of \$230.99.

By claiming hours at your lieutenant's pay and overtime rate that you did not perform any work for the Department as outlined above, you violated Louisiana State Police Policy and Procedure Order No. 201-Accrual of Time, Overtime and Compensatory Time – Section 6 - Authorization and Verification, which states in part:

- ...
- ii) An employee shall not work overtime without proper authorization from the appropriate supervisor or claim time, overtime, or compensatory time which was not actually performed.

By claiming time at your lieutenant's pay and overtime rate for personal activities during your travel and training, including traveling to and visiting at the Grand Canyon, Hoover Dam and Las Vegas, NV, visiting the San Diego Zoo, and the coast at La Jolla, CA; by causing Troopers Miller and Nezgodinsky to violate policies and procedures by providing them with your inaccurate time sheets; by causing Troopers Miller and Nezgodinsky and Major Williams to violate policies and procedures by providing them with your inaccurate travel expense account to copy in completing their own for submission to claim reimbursement; by approving Trooper Nezgodinsky's inaccurate time sheets and travel expense accounts that he submitted for reimbursement; and by violating and causing other troopers to violate state travel regulations by failing to take the most direct travel route in accordance with established travel regulations; all as detailed above, you violated Louisiana State Police Policy and Procedure Order No. 901 – Code of Conduct and Ethics, Section 8 –Performance of Duty, which states in pertinent part:

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<sup>15</sup> This resulted in an additional net overcharge for meals of \$7.00.

<sup>16</sup> Amarillo, TX and Tusayan (Grand Canyon), AZ are Tier II cities for which the allowable lodging rate is \$91.00 plus taxes and fees. Las Vegas, NV is a Tier III city for which the allowable lodging rate is \$126.00 plus taxes and fees.



- i) A commissioned officer shall conscientiously strive to enforce the laws of the state of Louisiana, render service to all citizens within the state, be responsible for the proper performance of all assigned duties, and strictly adhere to the rules, regulations, orders, manuals, and directives promulgated by the Department.
- ii) Ignorance of the rules, regulations, and directive shall not be considered an excuse or justification for any violation of such an officer.

By failing to accurately and truthfully reflect your compensable time on your timesheet for the days of October 10 – October 20, 2016, as well as accurately complete your travel expense account to claim reimbursement for only allowable expenses, you violated Louisiana State Police Policy and Procedure Order No. 901- Code of Conduct and Ethics, Section 19 – Department Records, which states in pertinent part:

- i) A commissioned officer shall submit reports on time and in accordance with existing regulations.
- 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.

By failing to accurately and truthfully claim reimbursement for lodging and meals only at the rate allowed by the State Travel Regulations as detailed above, and properly showing all points traveled on your initial Travel Expense Account, you violated Louisiana State Police Policy and Procedure Order No. 221- Expense Reimbursement, Section 2 – Scope, which states in pertinent part:

- i) Officers shall refer to “Louisiana Travel Guide” which is posted on the Office of State Purchasing and Travel Web site at <http://doa.louisiana.gov/osp/travel/traveloffice.htm> to determine reimbursement applicability. Officers who are authorized to receive reimbursement for work-related daily expenses shall complete a Travel Expense Account Form (DPSMF 1382). ...

By missing most of the SPPPOS Meeting on October 13, 2016 due to your personal activities, you violated Louisiana State Police Policy and Procedure Order No. 901 – Code of Conduct and Ethics, Section 11 - Neglect of Duty, which states in pertinent part:

- 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.

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You were entrusted to represent this department at an international law enforcement conference, an opportunity in which you abused that trust by claiming time for periods when you were not working and were not actually travelling. It is unacceptable that you, as a ranking officer within the department, then advised others to improperly claim their time. You showed complete disregard for the travel regulations and claimed reimbursements for meals which had been provided for you. Your indifference to the common sense notion that it is improper to claim time when you are sightseeing or when you are sleeping, has cast an unwarranted cloud of questions over this department, and that of each and every one of its employees. Your disregard for the rules to which others in this organization and all state employees should comply with is inexcusable. Finally, your failure to understand that what you did was wrong undermines your current ability to be a secondary supervisor within this organization.

Any future violations of this or 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,



Colonel Kevin Reeves  
Superintendent, Louisiana State Police

c: Lt. Colonel Mike Noel  
Major Doug Cain  
Captain Greg Graphia  
Internal Affairs  
Office of Legal Affairs  
Human Resources Management



**JOHN BEL EDWARDS**  
GOVERNOR

**KEVIN W. REEVES, COLONEL**  
DEPUTY SECRETARY

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

July 6, 2017

Louisiana State Police  
Internal Affairs Section  
P.O. Box 66614  
Baton Rouge, LA 70896

Dear Lt. Col. Mike Noel  
Asst. Superintendent, Louisiana State Police,

On July 6, 2017, I received a letter with the intent to demote me from the rank of Lieutenant to the rank of Sergeant in regards to my travel and reimbursements concerning a trip that was approved by Col. Mike Edmonson to the 2016 SPPPOS and IACP conferences in San Diego, CA. The letter asserts: I claimed time when I did not perform any work for the Department; I claimed time for personal activities during my travel and training to include visiting the Grand Canyon, Hoover Dam, and Las Vegas, NV, visiting the San Diego Zoo, and La Jolla, CA.; I caused Troopers Miller and Nezgodinsky to violate policies by providing them with inaccurate timesheets and caused Miller, Nezgodinsky, and Major Williams to violate policies and procedures by providing them with my inaccurate Travel Expense Account to copy; and I approved Nezgodinsky's inaccurate timesheet and travel expense accounts; I violated and caused other troopers to violate state travel regulations by failing to take the most direct route; I failed to accurately and truthfully reflect my compensable time on my timesheet for the days of October 10 - 20, 2016, as well as accurately completing my travel expense account; I failed to accurately and truthfully claim reimbursement for lodging and meals and properly show all points traveled on my initial Travel Expense Account; and I missed most of the SPPPOS meeting on October 13, 2016 due to my personal activities.

In the letter addressed to me, it states that this is my opportunity to correct anything that I may regard as inaccurate or misunderstood. Thank you for allowing me the chance to correct and address these issues accurately. In doing so, I hope it will provide you with the necessary information to be able to make an informed decision. I will first discuss the overall trip and the accounting of my time, and lastly, I will examine each point where a potential violation has been mentioned and offer supporting evidence as to why no violations occurred.

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DPSSP 4117



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### **Overall Trip and Accounting of Time:**

Prior to October of 2016, I was in the presence of LTC. Charlie Dupuy and Col. Mike Edmonson when Col. Edmonson asked me, "Do you want to go to the IACP conference?" I told him that I did want to attend both the SPPPOS and IACP conferences. He then said, "if you go, you have to drive." Col. Edmonson then made the statement, "take your wife and have a good time." I have never taken my wife in my entire 20 year career to any work related conference. Had Edmonson not told me to, I would not have brought her. However, being a paramilitary organization, I took his order to mean that I am going to the conferences in San Diego, CA with my wife, and we were to have a good time and drive there. Additionally, I followed his order because I did not want to violate Louisiana State Police Policy and Procedure, which states that I shall obey and execute all lawful orders of a superior officer.<sup>1</sup>

As the trip date neared, I learned that I would be driving with Major Derrell Williams, Trooper Thurman Miller, and Trooper Alexandr Nezhodinsky. Driving across the country had never been done before by any of us for a conference nor have we ever heard of anyone in State Police doing it for a conference, so there were no references for us to go by. People told me that it would be a long boring drive and that we would be crossing a lot of desert and in doing so the barren land would provide nothing to see for miles. This left us unknowing of what route to take in order to break the monotony of driving such a long distance. Still not knowing of what route to take, I mentioned to Col. Edmonson that I was unsure of how to go to San Diego. He told me that there was nothing but desert along I10 and that I should take a northern route to see more sites. I also mentioned it to LTC. Dupuy who suggested we stay up and drive straight through without stopping.

On Monday, October 10, 2016, I told the people riding to meet at the HQ compound at 0700 hours. I left my house at 0600 hours. Once on the compound, I met with Col. Edmonson in the cafeteria. I told him that we still did not know which way we were going. He told me that his son just drove back from across the country and to take the northern route because there was more to see like the mountains and Grand Canyon. He said the southern route was just desert, and we should not go that way. I then told him that he was right. Going north we would be able to see things like the Grand Canyon, Hoover Dam, and Las Vegas. I then told him we would take the northern route going to San Diego and the southern route back to break up the monotony of the trip. He then told us to have a good time and said that he wished he was going with us. After my conversation with Col. Edmonson that morning, it was clear to me that he knew where we were going and that we had permission to travel to San Diego via stops at the Grand Canyon, Hoover Dam, and Las Vegas. This was also later affirmed through continued correspondence with Col. Edmonson throughout the trip in phone conversations and text messages of our whereabouts.

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<sup>1</sup> *LSPP&P Manual*, P.O. 901 Code of Conduct and Ethics, Section 13 Lawful Orders, i, pg. 269

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After finally knowing what route we were taking and getting approval from Col. Edmonson, we finished loading the vehicle and departed the HQ compound. Because this type of trip had never been done before, it was uncertain where we would stop and stay during the three-day trip. Factors such as safe locations, road closures, construction, interstate crashes, and fatigue were all considerations during this trip. Because of these factors, hotels could not be booked ahead of time because we may not have been able to arrive at them. It was decided by the group that we would drive until we became fatigued, and we would look for a hotel.

On that first day at approximately 2123 hours, I received a phone call from Col. Edmonson checking on us to see how we were doing. I told him that Thurman and Derrell had never seen the Grand Canyon, Hoover Dam, or Las Vegas and that we were excited about the trip. As we continued on, having already been up and traveling since 0600 hours that morning, it was decided by the group that we would stop in Amarillo, TX. Being unfamiliar with Amarillo, TX and given the late hour, we used Booking.com in search of the lowest government rate for lodging. The Courtyard Marriott appeared at \$149 a night. It was the cheapest hotel listed for his area at this time of night with availability. Being exhausted and unable to drive anymore without endangering life or property, it was determined by all of us that we would stay at this hotel because it was the lowest priced and safest in the area that was available. We arrived at the hotel and checked into our rooms at approximately 0100 hours on October 11, 2016, completing an approximate 19-hour day.

On Tuesday, October 11, 2016 our day began at approximately 0500 hours. We began to drive towards the Grand Canyon as previously discussed with Col. Edmonson. Once in the Grand Canyon area we began to look for hotels. They were all above the allowable rate as most hotels are, but research indicated that hotels in the park were less expensive at approximately \$84 a night; however, one had to appear in person to check for last minute availability. It was decided to go into the park and check the hotels to see if they had any openings. After checking with two of the three hotels, I was told that they did not have availability. Considering it was getting late, the fact that we had very little sleep since the trip began, and the fact that there were no hotels available in the area except for one which was the Holiday Inn Express for \$229, we had little choice but to stay there. We arrived at and checked into the hotel at approximately 2000 hours, completing an approximate 14-hour day.

On Wednesday, October 12, 2016, at approximately 0600 hours I was answering phone calls, checking emails, and doing other Departmental related work activities as we had been doing throughout the trip. We packed, ate breakfast, and departed the hotel to head towards Las Vegas. Having never driven across the country, we planned for the worst knowing that we had to be in San Diego on October 13<sup>th</sup>. Driving fatigue began to take its toll, and we were forced to stop more often. We did make a stop along the Interstate at the Hoover Dam to use the restroom and take a break from driving. We eventually made it to Las Vegas.

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Looking at the map and after driving across the barren land, realizing that there is not much beyond Vegas, and not wanting to take a chance of not getting a room, we decided that Las Vegas would be the best option at offering a place to stay. Not being accustomed to the area, we utilized Booking.com for the lowest government rate hotel. The Palazzo was the cheapest that showed availability at \$159 a night. We arrived and checked into the hotel at approximately 1530 hours, completing an approximate 8.5-hour day.

On October 12, 2016 at approximately 1627 hours, I received a phone call from Col. Edmonson. He asked where we were. I told him we just made it to Las Vegas. He asked me where we were staying, and I told him the Palazzo. He then asked if my conference started tomorrow. I told him yes, and I would be late getting to it. He then said that's alright just hurry up and get to San Diego. I told him we would be leaving out early in the morning.

On Thursday, October 13, 2016, the plan was to leave at 0600 hours and drive to San Diego; however, it was difficult to motivate the guys. This was understandable as everyone was incredibly tired. We were not able to depart until later than planned as everyone was fatigued from driving. We departed at approximately 0800 hours, but I was already doing work at 0600 hours. Because of an error in calculating the driving time and losing track of time due to the time zone changes, we arrived in San Diego later than expected. I arrived at my conference at approximately 1530 hours; however, my main goal that day as directed by LTC. Dupuy was to provide transportation to anyone who would be arriving from the airport that day; furthermore, I had already advised Col. Edmonson that I would be late getting to my conference to which he stated that would be alright. Because I had proper authorization, I did not violate policy for Neglect of Duty by missing part of the conference.<sup>2</sup>

At approximately 1628 hours, I received a phone call from Col. Edmonson checking to see if I had made it to San Diego. He asked where I was. I told him I was at the conference. I asked him if he needed a ride from the airport. He said no. After and while at the conference, I was on standby for anyone who needed a ride. At approximately 2000 hours I met with the command staff, and my day ended approximately between 2200 to 2300 hours, completing an approximate 15-hour day.

On Friday, October 14, 2016, I attended the conferences from 0800 to 1800 and had meetings with the command staff in between. As per Col. Edmonson, I attended an event at 1900 where I finished my day at 2300 hours, completing an approximate 15-hour day.

On Saturday, October 15, 2016, I began my day at 0800 hours and attended both the SPPPOS and S&P conferences. I registered for the IACP conference and worked on and reviewed work projects. I then attended meetings with the command staff until the end of my day at approximately 2200 hours, completing an approximate 14-hour day.

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<sup>2</sup> LSPP&P Manual, P.O. 901 Code of Conduct and Ethics, Section 13 Lawful Orders, i, pg. 269

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On Sunday, October 16, 2016, I began my day at 0900 hours. I was tasked with driving Col. Edmonson to Torey Pines for a meeting and luncheon with TriTech and then to La Jolla. On October 16, 2016, I received a phone call from Col. Edmonson at approximately 0859 hours where he directed me where to pick him up. Upon returning from driving the colonel, I was instructed by him to attend two events and finished my day at 2300 hours, completing a 14-hour day.

On Monday, October 17, 2016, I began my day at 0900 hours and attended the IACP Exposition Hall as per Col. Edmonson. At approximately 1530 hours, I went to the zoo and to La Jolla, CA until approximately 1900 hours where I attended two events until finishing my day at 2200 hours, completing an approximate 13-hour day.

During my time at the conference, it was understood that I was there to provide transportation to events, if needed, and as a result was always on duty. For three and half hours, I was on "waiting time"<sup>3</sup> and engaged to wait for my necessary assignment. I did attend the zoo and visit La Jolla; however, I was always in a state of ready and on call if needed and would have responded if called as I have always done at past conferences. Facts: I was there to provide transportation to events. If called, I needed to respond to fulfill my duty, and I was in a period of inactivity engaged to wait for my next duty assignment. These facts illustrate that I properly claimed compensation in accordance with the FLSA.

On Tuesday, October 18, 2016, I began my day at approximately 0600 hours cleaning and packing and conducting work related activities. The plan was to take the southern route back home along I10. We drove until we got tired and began to look for a place to stay. There were no major cities near our location and the only hotel we could find according to Booking.com was the Quality Inn in Deming, NM for \$55 a night. We checked into the hotel at approximately 2300 hours, completing an approximate 16-hour day.

On Wednesday, October 19, 2016, I began my day at approximately 0700 hours where I ate breakfast at the hotel, conducted work related activities, and left. We drove to San Antonio, TX and began to look for hotel rooms. According to Booking.com the least expensive room at the government rate was the Hyatt Regency Hotel at a rate of \$154 a night. We checked into the hotel and ate dinner ending our day at approximately 2000 hours, completing an approximate 12-hour day.

On Thursday, October 20, 2016, I began my day at approximately 0600 hours. We got coffee, ate, and packed the car which was parked by the Alamo. We took some quick pictures of the Alamo and left for Baton Rouge. We arrived at HQ compound at approximately 1700 hours.

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<sup>3</sup> Waiting Time according to FLSA are hours worked when the employee is engaged to wait and should be counted towards work hours.

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I unpacked them and drove home arriving just prior to 1800 hours, completing an approximate 12-hour day.

### **Time Sheets:**

Friday, October 21, 2016 was the last day of the pay period in which time sheets must be submitted. In accordance with Louisiana State Police Policy and Procedure (LSPP&P), Louisiana State Police Commission Rules (LSPCR), Federal Fair Labor Standards Act (FLSA), and Statewide Personnel Policy No. 2 issued by the Division of Administration (DOA), Office of State Human Capital Management, I completed and submitted my first timesheet correctly for approval which is marked as Exhibit A.

The evidence supporting the correctness of Exhibit A can be found in the LSPP&P manual, LSPCR, FLSA, and the Statewide Personnel Policy NO.2 issued by DOA. LSPP&P clearly states that all requests for out-of-state travel shall be authorized through the chain-of-command to the appropriate Deputy Superintendent prior to commencement of travel.<sup>4</sup> This was completed and travel to the conference via driving was ultimately ordered and approved by Col. Edmonson, which granted us travel status to attend a mandated conference. As a Non-Exempt employee, I am required under FLSA to receive overtime compensation at the rate of time and one-half for hours worked in excess of my regular assigned work period.<sup>5,6,7,8</sup>

Because we were traveling to a conference, LSPP&P manual clearly states that an employee required by the Department to attend a convention shall claim the actual time spent in transit as work time.<sup>9</sup> This policy clearly indicates that we should have been compensated for all hours spent in transit. One is in transit until one reaches one's final destination. When we left Baton Rouge our final destination was San Diego. When we left San Diego our final Destination was Baton Rouge as seen in Exhibit A.

In addition, the Statewide Personnel Policy NO.2 supports this as it states, when an employee is required by the Appointing Authority to attend a conference on weekends, overnight, or outside of normal work hours, all time actually spent participating in program activities shall be designated as hours worked for which compensation at the appropriate rate is required.<sup>10</sup> The policy goes on to say while on authorized travel, overtime compensation at the appropriate rate is required for time spent outside regular work hours in transit to and from the

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<sup>4</sup> LSPP&P Manual, P.O. 221 Expense Reimbursement, Section 3lia, pg. 76

<sup>5</sup> LSPP&P Manual, P.O. 201 Accrual of Time, Overtime and Compensatory Time, Sections 3lii and 3v, pg. 11

<sup>6</sup> LSPCR, Chapter 6 in its entirety

<sup>7</sup> FLSA, Section 3(s)(1)(C)

<sup>8</sup> Statewide Personnel Policy NO. 2, Section IV Definitions, pg. 2

<sup>9</sup> LSPP&P Manual, P.O. 201 Accrual of Time, Overtime and Compensatory Time, Sections 4xvi, pg. 14

<sup>10</sup> Statewide Personnel Policy NO. 2, Section VIII Overtime for Attendance at Conferences, Conventions, and Training Programs, pg. 4

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destination.<sup>11</sup> Moreover, Statewide Personnel Policy NO.2 further clarifies and finally specifics that I processed my timesheet (Exhibit A) correctly by claiming all time while in transit to my final destination by stating, approved travel to and from a conference, when attendance is required, shall be designated as hours worked for which compensation at the appropriate rate is required.<sup>12</sup> "Hours worked cease upon arrival at the destination."<sup>13</sup>

The LSPP&P manual, LSPCR, FLSA, and the Statewide Personnel Policy NO.2 clearly indicate that I completed my timesheet (Exhibit A) properly and in accordance with the many policies. I began my time in transit when I departed to travel to the conference and ended it when I arrived and did the same on my return. Even though many of these policies support the manner in which I completed my original timesheet (Exhibit A) none is more compelling than Statewide Personnel Policy NO. 2, which clearly states that conference travel hours will cease upon arrival at the destination. This policy is issued by DOA and as such stipulates that Overtime/Compensatory Leave policies of agencies within the Governor's executive cabinet are repealed and replaced by this policy (Effective September 4, 2015).<sup>14</sup> This policy clearly states that I was to claim my time for meals<sup>15</sup>, the conference, activities associated with the conference, and while on authorized travel status, all hours until arrival at the conference destination.

In the letter, it states that Captain Graphia advised me " 'in transit' " was the actual time you were traveling in the vehicle as part of the commute, which did not include time sleeping or personal activities." Captain Graphia neither made this statement to me nor provided me with a definition of "in transit". The actual words "in transit" are not defined in any of the policies, but what the policies do indicate as previously presented is that "in transit" means the complete and total time from when one leaves a destination to when one arrives at one's final destination.

Captain Graphia only expressed concerns about claiming time for sleeping. After presenting my case to Captain Graphia he left it up to me to change my timesheet. It was the end of the pay period and time had to be quickly entered into the system. Under the tight time constraints, I readjusted my timesheet (Exhibit B) to the best of my ability to show the time we traveled each day before going to bed. I knew we had traveled more than 12 hours some days and less on others; however, it was always my intention based on policy to claim my total time; as a result, I did not keep track of individual hours for individual days. I averaged out the hours traveled each day to 12 in order to be able to submit my timesheet on time. At no time did I attempt to claim hours in the two week pay period that I did not work which would have monetarily benefited me. If anything, I donated time to the Department. Because "in transit" is

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<sup>11</sup> *Statewide Personnel Policy NO. 2, Section IX Overtime for Travel, pg. 4*

<sup>12</sup> *Statewide Personnel Policy NO. 2, Section IX Overtime for Travel, Section 2 Conference Travel, pg. 5*

<sup>13</sup> *Statewide Personnel Policy NO. 2, Section IX Overtime for Travel, Section 2 Conference Travel, pg. 5*

<sup>14</sup> *Statewide Personnel Policy NO. 2, Section III Applicability, pg. 2*

<sup>15</sup> *Statewide Personnel Policy NO. 2, Section VII Overtime for Meal Periods, pg. 4*

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not properly defined anywhere in State Police Policy it is not suitable to define it after the fact and retroactively enforce it.

Furthermore, the purpose of going a northern route to San Diego and the southern route back to Baton Rouge was to have places to visit to break the monotony of driving such long distances.<sup>16</sup> This overall strategy and the places we stopped and visited were suggested, approved, and authorized by Col. Edmonson and were never considered personal activities. Moreover, nowhere in the LSPP&P manual does it define what is and what is not appropriate when an authorized travel route has been granted by the Appointing Authority. If anything, evidence indicates that the Department Head has authority to change or modify the agencies travel policy.<sup>17</sup> In addition, DOA reminds all Department heads to exercise all authority with care and reasonableness with regards to the travel process<sup>18</sup>, indicating that they have authority in regards to travel regulations.

### **Travel Expense Account Sheets:**

The next item that is mentioned in the letter is in regards to Travel Expense Account sheets submitted for reimbursement. According to the letter, it is suggested that I inaccurately claimed Tier cities as referenced in Exhibit C by claiming Baton Rouge to San Diego on October 10, 2016 and San Diego to Baton Rouge on October 20, 2016. It is then stated that I forwarded this expense account to Troopers Miller and Nezgodinsky, instructing them on how to prepare their travel expense account for reimbursement.

According to LSPP&P and the Louisiana Travel Guide, I properly submitted these documents for reimbursement. LSPP&P states that I shall refer to the Louisiana Travel Guide to determine reimbursement applicability.<sup>19</sup> Nowhere in the LSPP&P manual or Louisiana Travel Guide does it explain how to seek reimbursement for trips lasting more than a day or how Tier cities are to be claimed on multiple day trips until one has reached one's final destination.

The Louisiana Travel Guide does, however, provide some guidance on how to fill out reimbursement sheets by stating, "In all cases the date and hour of departure from and return to domicile must be shown, along with each final destination throughout the trip clearly defined on the form."<sup>20</sup> As stated previously, this type of travel had never been done before. We did not know how far we would be driving each day or where we would be staying. Our final destination was and always has been San Diego, CA. According to this policy, I listed the date and hour of departure from and return to my domicile as well as the final destination of San Diego, CA on

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<sup>16</sup> Places to visit such as the Grand Canyon, Hoover Dam, Las Vegas, and the Alamo were all discussed and acknowledged as well as approved by the Department.

<sup>17</sup> *Louisiana Travel Guide*, S1503 General Specifications, Section A Department Policies, pg. 6

<sup>18</sup> *Louisiana Travel Guide*, Memorandum, pg. 1

<sup>19</sup> *LSPP&P Manual*, P.O. 221 Expense Reimbursement, Section 2 Scope, pg. 76

<sup>20</sup> *Louisiana Travel Guide*, S1503 General Specifications, Section C Claims for Reimbursement, pg. 8

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the Travel Expense Account sheet, thereby, completing it correctly and in accordance with the established Louisiana Travel Guide rules.

The letter claims that when a public records request was received in November of 2016, I submitted a revised travel expense account listed as Exhibit D. Major Doug Cain advised that I needed to change my Travel Expense Account sheet to list all cities in which I had an overnight stay. I complied with Major Cain's order and submitted another Travel Expense Account sheet. The letter mentions that I changed my Travel Expense Account sheet when this matter was brought to my attention. There was never any intention to claim expenses that were not earned least of all an extra \$15. Even though my forms were filled out correctly, I complied with the order I was given and submitted another form which was once again approved.

The letter also cites State Travel Regulation S1506 -- Lodging and Meals, Section 4 Travel with Overnight Stay, and provides that I may only be reimbursed for breakfast when my travel begins at or before 0600 hours on your first day of travel. The letter claims that I departed Baton Rouge on October 10, 2016 after 0800 hours and therefore was not entitled to claim breakfast. However, according to my recollection and the investigators' findings my day started at 0600 hours.

October 10, 2016 was the actual beginning day of our travel. According to LSPP&P, time resulting from unusual or out-of-the-ordinary travel should be counted towards total work hours; when the time is counted, it shall be credited as the actual time spent in transit.<sup>21</sup> It goes on to say when traveling to a convention the employee shall claim the actual time spent in transit as work time.<sup>22</sup> We were going to a convention that required out-of-the-ordinary travel. According to these policies, my travel and work time began when I departed my home. Because I departed my home at 0600 hours, I am entitled to claim breakfast in accordance with LSPP&P and the Louisiana Travel Guide.<sup>23</sup>

The letter mentions that I cannot claim lunch on October 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> because lunch was provided by the conference. If lunch was provided by the conference, I was unaware of that fact. I never ate lunch at the conference nor knew it was provided because I was always called to go to lunch meetings with the command staff where I paid for my own meals.

The letter states that the manner in which I determined the tier at which I should claim reimbursement was not consistent. It goes on to state that I should have claimed the tier for the city in which I spent the night. Nowhere in any policy is this suggestion outlined. Neither LSPP&P nor the Louisiana Travel Guide contain any mention that one is to claim the tier city in

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<sup>21</sup> *LSPP&P Manual*, P.O. 201 Accrual of Time, Overtime and Compensatory Time, Sections 4 Accrual of Time i)f), pg. 12

<sup>22</sup> *LSPP&P Manual*, P.O. 201 Accrual of Time, Overtime and Compensatory Time, Sections 4 Accrual of Time xvi), pg. 14

<sup>23</sup> *Louisiana Travel Guide*, S1506 Lodging and Meals, Section A,4,a, pg. 23

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which one spends the night for meal reimbursement, and I have never known this to be the practice when claiming meal reimbursements. This is not defined in any policy, and; therefore, it is not appropriate to define it after the fact and retroactively enforce it. Furthermore, as proven by the letter I received and listed as Exhibit C, D, and E, I submitted this sheet more than once, and the submittal was approved all times.

The letter speaks about hotel overages both during travel and while at the conference. First, I will address the hotel overages during travel. Most of the explanation behind these overages were covered in the section titled *Overall Trip and Accounting of Time*. The letter makes it appear as if a policy was violated; when in fact, policy allows for overages. We always attempted and made every effort to obtain the most reasonably priced lodging at the places approved by the Department Head. It has already been established that Col. Edmonson and others knew the route we were taking and where we would be visiting and staying throughout the trip. During our travel, at no time did any command staff member tell us not to stay at any of the locations where we slept. Additionally, upon our return, Col. Edmonson signed off on Williams' state credit card expenditures showing the prices and places where we stayed.

The Louisiana Travel Guide grants exception to lodging overages and states that the Department Head has the authority to approve actual costs, and justification for the overage must be maintained in the file to show that attempts were made with hotels in the area to receive the state/best rate.<sup>24</sup> LSPP&P also states in part that if accommodations cannot be obtained within the rates authorized, justification explaining why less expensive accommodations cannot be found must accompany the request for exception.<sup>25</sup> These policies clearly indicate that hotel overages are not a violation. Upon my return, and after receipt of an email from the Management and Finance section, I provided justification for the lodging overages and was never required to pay anything back, concluding that my justification was acceptable and approved.

The letter cites State Travel Regulation S1506 – Lodging and Meals, Section C – Meals and Lodging Allowances, Subsection 5 – Conference Lodging Allowance, which provides that when an employee chooses to stay in lodging other than the conference lodging, he can only claim the routine travel rate for that city. The letter goes on to say that I was only allowed to claim \$126.00 for lodging and not the conference lodging rate of \$289.99, thereby, exceeding my allowable rate by \$185.00.

It was stated earlier in the letter that I roomed double occupancy with another trooper in a non-conference hotel as a costs savings measure and that the other trooper paid for and was reimbursed for the room. To be clear, I did not choose the lodging, and I never claimed a lodging reimbursement for the room. However, State Travel Regulation S1502 – Definitions, Section A, Conference/Convention, states in the event the designated conference hotel has no rooms

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<sup>24</sup> *Louisiana Travel Guide*, S1506 Lodging and Meals, Section B,1, pg. 23

<sup>25</sup> *LSPP&P Manual*, P.O. 221 Expense Reimbursement, Section 4 Lodging, v, pg. 77

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available, a Department Head may approve to pay actual hotel cost not to exceed the conference lodging rates for other hotels located near the conference hotel.<sup>26</sup> The conference hotel was the Omni, which had no rooms available. Moreover, the policy was followed in that the actual costs of the lodging did not exceed the conference lodging rate of \$289.99. In addition, the trooper's expense reimbursement for lodging was approved by the Department Head. These factors signify that the policy as stated in the letter was not violated and is cited incorrectly.

Lastly, I would like to clarify that while I did forward my expense account and time sheets to Troopers Miller and Nezgodinsky, it was for their reference only. At no time did I instruct them that they were to copy or fill their sheets out as mine indicated. In fact, Trooper Nezgodinsky told me he did not know how to fill out his timesheet. I instructed him to simply put down the time he actually worked. Further proof of this is indicated in the fact that all of our timesheets were different. In addition, I was asked by Miller, Nezgodinsky, and Williams to provide them with a copy of my Travel Expense Account sheet for reference. I never told them to copy it; however, it was done correctly and in accordance with the Louisiana Travel Guide. Furthermore, I never knowingly or intentionally falsified my Travel Expense Account sheet or timesheet nor did I knowingly or intentionally approve a falsified Travel Expense sheet or timesheet as all of these things were filled out correctly according to policy.

#### **Concluding Remarks:**

Col. Edmonson knew our whereabouts the entire trip. As the Department Head and Appointing Authority, he knew where we would be staying and approved our route and the locations we would be visiting. Furthermore, while in San Diego, he asked about our trip, to the Grand Canyon and Las Vegas and the things we saw. At no time did he say we should not have stayed, visited or claimed time for going to any of the locations that were discussed. We never concealed anything concerning our travel. We were honest and open about all places visited along the approved route. Additionally, when we returned, Col. Edmonson signed off on Williams' state credit card charges, which showed where we stayed and what we paid for lodging. Driving across the country to a conference had never been done by any of us. We did the best we could considering the circumstance that were placed on us. The policy evidence from the LSPP&P manual, LSPCR, FLSA, Louisiana Travel Guide, and Statewide Personnel Policy NO. 2 that I provided clearly indicate that I did fill out my timesheet and expense reimbursements accurately and that all time claimed was justified.

Moreover, nowhere in the LSPP&P manual does it outline any travel guidelines that would cover the task we were given. Additionally, the LSPP&P manual only references the

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<sup>26</sup> Louisiana Travel Guide, S1502 Definitions, Section A, pg. 4

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Louisiana Travel Guide for reimbursement applicability and does not reference it for travel guidelines.<sup>27</sup> The policy violation citing failure to take the most direct route and causing other troopers to violate state travel regulations is not in the LSPP&P manual. LSPP&P Code of Conduct and Ethics that is cited specifically states that officers shall adhere to the rules, regulations, orders, manuals, and directives promulgated by the Department.<sup>28</sup> This rule was not promulgated or properly referenced by the Department; furthermore, citing a violation of an outside policy violates LSPP&P which states that Internal Affairs shall investigate departmental rules and regulations.<sup>29</sup>

Truth is, no one knew of the policy located in the Louisiana Travel Guide stating that the most direct route must be taken when driving; had we known of its existence, we would have never gone the route discussed, suggested, and authorized by Col. Edmonson because there would have been no need to ask. I did, in fact, ask several times and told Col. Edmonson that I was uncertain of what route to take before he told me to take a northern route to see and visit the Grand Canyon, Hoover Dam, and Las Vegas.

Notwithstanding the fact that no Louisiana State Police Policy was violated a policy that no one knew about was violated. Therefore, I felt compelled to rectify any perceived injustices. The most direct route was 1,777 miles according to Bing Maps. The northern route taken was 2,080 miles for a difference of 303 miles. We traveled 303 miles out of the way. Considering the overall roundtrip distance of 3,554, I used the negligible amount of 303 miles to calculate the expenses that were incurred off route, to include vehicle mileage, time, per diem, and lodging and on March 24, 2017, I reimbursed the Department \$1,304.90. This was done on my own accord as seen in Exhibit E.

While I understand that public perception often has an influence on decision making and investigations, it is my hopes that the evidence and explanation provided in this letter will help to make a fair and impartial decision concerning our welfare.

Sincerely,



Rodney Hyatt

c: Colonel Kevin Reeves  
Internal Affairs

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<sup>27</sup> LSPP&P Manual, P.O. 221 Expense Reimbursement, Section 2 Scope, pg. 76

<sup>28</sup> LSPP&P Manual, P.O. 901 Code of Conduct and Ethics, Section 8 Performance of Duty, pg. 267,268

<sup>29</sup> LSPP&P Manual, P.O. 801 Administration, Section 1 Purpose, (a)1) pg. 261

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[illegible]

## Operational Development

I certify that the above information is true and correct.

STANDARD FORM NO. 64 (REV. 10-6-64)

311

10-21-20%

DATE OF RECEIPT

I certify that the above information is true and correct.

EXHIBIT

B

**LINE**

10/25/2016

21/11/20



LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS  
PUBLIC SAFETY SERVICES

TRAVEL EXPENSE ACCOUNT

The statement on the reverse side must be completely filled in by the payee prior to signature.  
Receipts must be attached as required by travel regulations

NAME OF OFFICER/EMPLOYEE

Rodney Hyatt

Personnel Number (mandatory)

P00086217

Destination (City, State)

San Diego, California

Purpose of the Trip:

IACP/SPPPOS Training Conference

DATE OF CLAIM

21Oct16

AGENCY

LSP

SECTION/TROOP

Operational Development

Date of Trip(s)

10/10/2016 to 10/20/2016

EXPENSE SUMMARY

Automobile:	LUMP SUM ALLOWANCE OR PER DIEM			
	PER MILE COST:	0.51	miles	0
				\$0.00
	* Per mile cost may differ from year to year (check travel regs)			\$0.00
Subsistence:	LODGING			\$0.00
	MEALS			\$638.00
*Laundry:				\$0.00
*Standard Allowance:				\$0.00
Miscellaneous:				\$0.00
Subtotal:				\$638.00
Less: Travel Advance:				
Total Reimbursable Cost:				\$638.00

IF TOTAL REIMBURSABLE COST IS A NEGATIVE VALUE, CHECK OR MONEY ORDER MUST BE ATTACHED

CERTIFICATE OF PAYEE

I certify that this expense account is just and true in all respects; that the distances shown were actually and necessarily traveled on the dates specified on official business only; that the expenses charged were incurred on official business of the state and none of the expenses have been paid by the state; and that the full amount is justly due.

SIGNED BY PAYEE *Rodney Hyatt*

Lieutenant  
TITLE POSITION

Butler Rouse  
OFFICIAL DOCKETER

CERTIFICATE OF SUPERVISOR

I certify that the charges set forth on this expense account have been examined by me; that the services for which the charges are made were necessary and proper; and that, in my opinion, the amounts claimed are just and reasonable.

SIGNED BY *Gregory Graphe*  
NAME

Captain  
TITLE

REMARKS BY HEAD OF BUDGET UNIT IN EXPLANATION OF UNUSUAL ITEMS, ETC.

ADMINISTRATIVE COMPLIANCE

DPSPF 1382 (R 06/12)

OCT 25 2016



DATE	HOUR		HOURS WORKED	TERRITORY TRAVELED SHOW ALL PORTS VISITED	ODOMETER READING		MILES TRAV.	Designation	Lodging	SUBSISTENCE				TOLLS AND PARK		OTHER EXPENSES	
	DEP	ARR			DEPART	ARRIVE				B	L	D	COST	DESC.	COST		
10/10/2016	06:00			Baton Rouge, LA to San Diego, CA				III			X	X	X	\$61.00			
10/11/2016				IACP/SPPPOS Conference San Diego, CA				III			X	X	X	\$61.00			
10/12/2016				IACP/SPPPOS Conference San Diego, CA				III			X	X	X	\$61.00			
10/13/2016				IACP/SPPPOS Conference San Diego, CA				III			X	X	X	\$61.00			
10/14/2016				IACP/SPPPOS Conference San Diego, CA				III			X	X	X	\$61.00			
10/15/2016				IACP/SPPPOS Conference San Diego, CA				III			X	X	X	\$61.00			
10/16/2016				IACP/SPPPOS Conference San Diego, CA				III			X	X	X	\$61.00			
10/17/2016				IACP/SPPPOS Conference San Diego, CA				III			X	X	X	\$61.00			
10/18/2016				IACP/SPPPOS Conference San Diego, CA				III			X	X	X	\$61.00			
10/19/2016				IACP/SPPPOS Conference San Diego, CA				III			X	X	X	\$61.00			
10/20/2016	17:00			San Diego, CA to Baton Rouge, LA				III			X	X	X	\$29.00			
<b>TOTALS</b>																	
Source of Funding:																	
<div style="display: flex; justify-content: space-between;"> <div> <b>COST CENTER</b> 4192218 <b>OBJECT CODE</b> 2819-02         </div> <div> <b>REPORTING CATEGORY</b> 419-3723 <b>GRANT #</b> </div> </div>																	
Explanation (provide brief details for travel purposes and list whether lodging was single or double occupancy, if double list roommates name and who paid the bill.) Travel to San Diego, CA to attend IACP/SPPPOS Annual Conference. Lodging was double occupancy. Double occupancy in a condominium was utilized as a cost savings measure. The total lodging costs were paid by Lt. Colonel Jason Starnes.																	

Instructions: 1. Sign lodging receipts if double occupancy, both employees' signatures are required. 2. Provide brief details for travel purpose in explanation section. 3. Be sure to provide Personnel Number on the front page. 4. Phone calls, parking, tolls, etc. should not be incorporated in lodging rate. Each must be itemized separately. 5. Make sure that departure and arrival times justify the meal claims. 6. Total all applicable columns at the bottom of the page and include sure that sums equal totals on front and back pages. 7. Attach approved Travel/Training Request to Expense Voucher.

LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS  
PUBLIC SAFETY SERVICES

TRAVEL EXPENSE ACCOUNT

The statement on the reverse side must be completely filled in by the payee prior to signature.  
Receipts must be attached as required by travel regulations

NAME OF OFFICER/EMPLOYEE Rodney Hyatt		DATE OF CLAIM 21Oct16
Personnel Number (mandatory) P00088217		AGENCY LSP
Destination (City, State) San Diego, California		SECTION/TROOP Operational Development
Purpose of the Trip: IACP/SPPPOS Training Conference		Date of Trip(s) 10/10/2016 to 10/20/2016

EXPENSE SUMMARY

Automobile:	LUMP SUM ALLOWANCE OR PER DIEM					\$0.00
	PER MILE COST:	0.51	mi@	0	\$0.00	
		* Per mile cost may differ from year to year (check travel reg)				
Subsistence:	LODGING				\$0.00	\$624.00
	MEALS				\$624.00	
*Laundry:						\$0.00
*Standard Allowance:						\$0.00
Miscellaneous:						\$0.00
Subtotal:						\$624.00
Less: Travel Advance:						
Total Reimbursable Cost:						\$624.00

IF TOTAL REIMBURSABLE COST IS A NEGATIVE VALUE, CHECK OR MONEY ORDER MUST BE ATTACHED

CERTIFICATE OF PAYEE

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Lt. Rodney Hyatt  
SIGNED BY PAYEE

Lieutenant  
TITLE/POSITION

East Baton Rouge  
OFFICIAL DOMICILE

CERTIFICATE OF SUPERVISOR

I certify that the charges set forth on this expense account have been examined by me; that the services for which the charges are made were necessary and proper; and that, in my opinion, the amounts claimed are just and reasonable.

SIGNED BY NAME TITLE

REMARKS BY HEAD OF BUDGET UNIT IN EXPLANATION OF UNUSUAL ITEMS, ETC.



DATE	HOUR		SERIAL WORK	TERRITORY TRAVELED SHOW ALL POINTS VISITED	ODOMETER READING		MILES TRAV.	Designated Trv.	LODGING	SUBSISTENCE			TOLLS AND PARK	OTHER - GENSES
	DEP	- ARR			DEPART	ARRIVE				B	L	D		
10/10/2016	06:00	18:00		Boston Ridge, LA to Amarillo, TX				H		X	X	X		
10/11/2016	06:00	18:00		Amarillo, TX to Tule, AZ				H		X	X	X		
10/12/2016	06:00	18:00		Tule, AZ to Las Vegas				H		X	X	X		
10/13/2016	06:00	18:00		Las Vegas to San Diego, CA				H		X	X	X		
10/14/2016				San Diego, CA to San Diego, CA				H		X	X	X		
10/15/2016				San Diego, CA to San Diego, CA				H		X	X	X		
10/16/2016				San Diego, CA to San Diego, CA				H		X	X	X		
10/17/2016				San Diego, CA to San Diego, CA				H		X	X	X		
10/18/2016	06:00	18:00		San Diego, CA to San Diego, CA				H		X	X	X		
10/19/2016	06:00	18:00		San Diego, CA to San Diego, CA				H		X	X	X		
10/20/2016	06:00	17:00		San Diego, CA to San Diego, CA				H		X	X	X		
				TOTALS						\$0.00			\$0.00	\$0.00

Source of Funding: 4192218

COST CENTER 2810-02

REPORTING CATEGORY 4194723

GRANT #

Explanation (provide brief details for travel purposes and list whether lodging was single or double occupancy, if double list rooming name and who paid the bill.)

Travel to San Diego, CA to attend IACPSPP08 Annual Conference. Lodging was double occupancy. Double occupancy in a condominium was utilized as a cost savings measure. The total lodging costs were paid by Lt. Colonel Jason Barnes.

Instructions: 1. Sign lodging receipts (if double occupancy, both employee's signatures are required). 2. Provide brief details for travel purposes in explanation section. 3. Be sure to provide Personnel Number on the front page. 4. Phone calls, parking, tolls, etc. should not be incorporated in lodging rate. Each must be itemized separately. 5. Make sure that departure and arrival times justify the meal claims. 6. Total all applicable columns at the bottom of the page and make sure that sums equal totals on front and back pages. 7. Must attach approved Travel/Traveling Request to Expense Voucher.

LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS  
PUBLIC SAFETY SERVICES

TRAVEL EXPENSE ACCOUNT

The statement on the reverse side must be completely filled in by the payee prior to signature.  
Receipts must be attached as required by travel regulations

NAME OF OFFICER/EMPLOYEE Rodney Hyatt	DATE OF CLAIM 21 Oct 16
Personnel Number (mandatory) P00086217	AGENCY LSP
Destination (City, State) San Diego, California	SECTION/TROOP Operational Development
Purpose of the Trip: IACP/SPPPOS Training Conference	Date of Trip(s) 10/10/2016 to 10/20/2016

EXPENSE SUMMARY

Automobile:	LUMP SUM ALLOWANCE OR PER DIEM				\$0.00
	PER MILE COST:	0.51	mi@	0	
		* Per mile cost may differ from year to year (check travel regs)			
Subsistence:	LODGING	\$0.00			\$512.00
	MEALS	\$512.00			
*Laundry:					\$0.00
*Standard Allowance:					\$0.00
*Miscellaneous:					\$0.00
Subtotal:					\$512.00
Less: Travel Advance:					
Total Reimbursable Cost:					\$512.00

IF TOTAL REIMBURSABLE COST IS A NEGATIVE VALUE, CHECK OR MONEY ORDER MUST BE ATTACHED

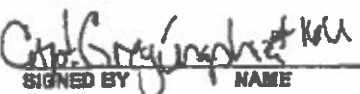

CERTIFICATE OF PAYEE

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SIGNED BY PAYEE	TITLE/POSITION	OFFICIAL DOMICILE

CERTIFICATE OF SUPERVISOR

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SIGNED BY	TITLE

REMARKS BY HEAD OF BUDGET UNIT IN EXPLANATION OF UNUSUAL ITEMS, ETC.

