

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS –
PUBLIC SAFETY SERVICES – OFFICE OF STATE POLICE



INVESTIGATIVE AUDIT
ISSUED DECEMBER 14, 2017

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LOUISIANA LEGISLATIVE AUDITOR
DARYL G. PURPERA, CPA, CFE

December 14, 2017

COL. KEVIN REEVES,
LOUISIANA STATE POLICE SUPERINTENDENT
AND DEPUTY SECRETARY OF PUBLIC SAFETY SERVICES
Baton Rouge, Louisiana

We have audited certain transactions of the Department of Public Safety and Corrections, Public Safety Services. Our audit was conducted in accordance with Title 24 of the Louisiana Revised Statutes to determine the validity of complaints we received.

Our audit consisted primarily of inquiries and the examination of selected financial records and other documentation. The scope of our audit was significantly less than that required by *Government Auditing Standards*.

The accompanying report presents our findings and recommendations, as well as management's response. This is a public report. Copies of this report were delivered to the District Attorney for the 19th Judicial District of Louisiana, the United States Attorney for the Middle District of Louisiana, the Louisiana Board of Ethics, and others, as required by law.

Respectfully submitted,

Daryl G. Purpera, CPA, CFE
Legislative Auditor

DGP/aa

LSP 2017

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EXECUTIVE SUMMARY

Improper Travel

Public Safety Services' (DPS) records and employees' statements indicate that DPS expended \$85,486 of public funds for 16 DPS employees, including 14 Louisiana State Police (LSP) troopers, to attend one or more conferences in San Diego, California in October 2016. The \$85,486 was comprised of \$34,131 in travel expenses and \$51,355 to cover the costs of the traveling employees' regular time and overtime. In connection with the San Diego trip, we found:

- By failing to use the most cost-effective means of travel, DPS paid at least \$12,997 more than necessary for the San Diego trip:
 - Four troopers traveled to San Diego in an LSP vehicle instead of flying, did not use the most direct route for travel, and detoured to visit three popular tourist destinations off the longer route taken, costing DPS an additional \$5,607;
 - Three troopers reported, and were paid for, hours they may not have worked; and
 - The four troopers who traveled to San Diego in the LSP vehicle incurred excessive hotel charges while driving to and from San Diego.
- Troopers allowed non-state employees to travel in an LSP vehicle without complying with Policy and Procedure Memorandum (PPM) No. 49's requirements of having the person designated an "authorized traveler" and sign an "Acknowledgement" (essentially an assumption of the risk/hold harmless agreement which protects the State of Louisiana against liability); and
- DPS lacks a centralized system for tracking actual out-of-state or conference travel expenses. By not having a centralized system for tracking out-of-state travel expenses, DPS management cannot monitor the cost-effectiveness of sending employees to certain training events.

Improper Use of Hotel Rooms during Mardi Gras

From February 2013 to February 2016, the City of New Orleans purchased hotel rooms for LSP troopers who resided outside of the New Orleans area who were providing public safety services during Mardi Gras. During this time, records and statements obtained from LSP troopers and others indicate that former LSP Superintendent Col. Michael Edmonson:

- Obtained extra hotel rooms paid for by the City of New Orleans, either in his name or in the name of other LSP troopers;
- Allowed his friends and family to stay in those extra hotel rooms free of charge; and
- Received reimbursement from LSP for a hotel room in 2014, even though the City of New Orleans purchased a hotel room for him at another hotel.

By providing rooms purchased by the City of New Orleans to his friends and family free of charge, and by receiving an improper reimbursement, Colonel Edmonson may have violated the Louisiana Constitution and state law.

Misuse of LSP Personnel and Assets

DPS records and statements from multiple employees indicate that Colonel Edmonson directed troopers to run personal errands for him and his family and friends and to perform services for non-profit organizations with which he was affiliated during work hours. By using public resources for his personal benefit and donating public resources to those non-profit organizations, Colonel Edmonson may have violated the Louisiana Constitution and state law.

Colonel Edmonson and His Family Resided on the DPS Compound without Proper Authority

Colonel Edmonson and his family resided on the DPS Compound without legal authority, which may have violated state law. We estimate the value of the benefit that Colonel Edmonson received from living on the compound from February 2008 until March 2017 to be \$434,720. It appears that Colonel Edmonson's benefit of residing on the DPS Compound was taxable and should have been included in Colonel Edmonson's Form W-2.

Cafeteria Provided Meals without Charge

Colonel Edmonson appears to have received free meals from the DPS Cafeteria (Cafeteria). By receiving free meals from the Cafeteria, Colonel Edmonson may have violated the Louisiana Constitution and state law. Additionally, our audit identified weaknesses in the Cafeteria's billing practice, which may have resulted in donations of meals.

Improper Special Meal Expenditures

DPS records show that Colonel Edmonson applied for and obtained a DPS credit card that he used to purchase special meals without approval from the Division of Administration. In addition, we found a majority of these special meals were not sufficiently documented to show their business purpose. By expending public funds on special meals without authorization and

sufficient documentation of their business purpose, Colonel Edmonson may have violated state policy.

Fleet Operations Performed Services on Private Vehicles

DPS records and statements from Fleet Operations personnel indicate that Fleet Operations performed minor repairs, washing, and detailing services on Colonel Edmonson's family members' vehicles at his direction. Although private vehicles cannot be tracked in LSP's computerized fleet management system, one employee provided us with a calendar he used to document the dates that services were performed on Colonel Edmonson's family members' vehicles from May 2016 to December 2016. In addition, it appears that Fleet Operations washed private vehicles for other LSP personnel. By using public assets to perform services on private vehicles, Fleet Operations and LSP management may have violated the Louisiana Constitution. Further, by directing Fleet Operations personnel to perform work on his family members' vehicles, Colonel Edmonson may have violated state law.

LSP Personnel Received Dry Cleaning Allowance and Free Dry Cleaning from the Governor's Mansion

Colonel Edmonson and troopers assigned to the Governor's Mansion (Mansion) improperly used the Mansion's dry cleaning service to clean their uniforms and other clothing for free while also receiving a daily allowance from LSP to clean their uniforms. By receiving free dry cleaning services and simultaneously receiving a dry cleaning allowance, Colonel Edmonson and the other troopers may have violated state law.

Private Use of LSP Training Facilities

LSP improperly allowed its training facilities to be used by certain DPS employees at no charge and without a public purpose. DPS records indicate that several members of LSP management and the current Commissioner of the Office of Motor Vehicles were provided private dormitory rooms at the LSP Training Academy for private use. By allowing certain employees to use LSP training facilities for private purposes at no charge, DPS and LSP management may have violated the Louisiana Constitution and state law.

BACKGROUND AND METHODOLOGY

Public Safety Services (DPS) is an agency within the Louisiana Department of Public Safety and Corrections. DPS is created within the executive branch of state government and is comprised of eight agencies: Office of Management and Finance, Office of State Police, Office of Motor Vehicles, Office of Legal Affairs, Office of the State Fire Marshal, Louisiana Gaming Control Board, Liquefied Petroleum Gas Commission, and the Louisiana Highway Safety Commission.

The mission of the Office of State Police (referred to throughout this report as the “Louisiana State Police” or “LSP”) is to ensure the safety and security of the people in the state through enforcement, education, and providing of other essential public safety services. LSP’s values, expressed through the acronym, LDRSHIP, are:

Loyalty - Bear true faith and allegiance to the U.S. Constitution, the State Police, your unit, and other troopers

Duty - Fulfill your obligations

Respect - Treat people as they should be treated

Selfless Service - Put the welfare of the nation, the State Police, and others before your own

Honor - Live up to all the State Police values

Integrity - Do what’s right - legally and morally

Personal Courage - Face fear, danger, or adversity (physical or moral)

In March 2017, the Louisiana Legislative Auditor (LLA) received multiple legislative requests to audit LSP’s out-of-state travel. Throughout the audit, LLA received additional complaints from various sources, including the Metropolitan Crime Commission. LLA initiated this audit as a result of the legislative requests and expanded the audit to determine the veracity of the additional complaints received.

The procedures performed during the audit included:

- (1) interviewing DPS employees and other persons as appropriate;
- (2) examining selected DPS documents and records;
- (3) gathering and examining external parties’ documents and records; and
- (4) reviewing applicable state laws and regulations.

FINDINGS AND RECOMMENDATIONS

Improper Travel

Public Safety Services' (DPS) records and employees' statements indicate that DPS expended \$85,486 of public funds for 16 DPS employees, including 14 Louisiana State Police (LSP) troopers, to attend one or more conferences in San Diego, California in October 2016. The \$85,486 was comprised of \$34,131 in travel expenses and \$51,355 to cover the costs of the traveling employees' regular time and overtime. In connection with the San Diego trip, we found:

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- Troopers allowed non-state employees to travel in an LSP vehicle without complying with Policy and Procedure Memorandum (PPM) No. 49's requirements of having the person designated an "authorized traveler" and sign an "Acknowledgement" (essentially an assumption of the risk/hold harmless agreement which protects the State of Louisiana against liability); and
- DPS lacks a centralized system for tracking actual out-of-state or conference travel expenses. By not having a centralized system for tracking out-of-state travel expenses, DPS management cannot monitor the cost-effectiveness of sending employees to certain training events.

DPS employees submit out-of-state and conference travel requests through their chain of command via an electronic database. The employee is required to complete an electronic travel request form stating the estimated cost to travel, the length of travel, the purpose, and the destination. After employees complete the travel request, it is routed through their chain of command for approval. We found one instance where an employee submitted a travel request on another employee's behalf five days after they returned from the trip, but dated the request before the trip. In addition, the electronic travel request database does not track DPS' actual cost. For example, we found that according to the electronic travel request database, the

estimated expenses for 16 DPS employees to travel to San Diego, California were \$32,467; however, the actual expenses (excluding payroll costs) for those 16 employees to travel to San Diego was \$34,131, a difference of \$1,664.

Employees pay their travel expenses directly or use a state purchasing card. In the event an employee pays his/her travel expenses, DPS reimburses the employee for the cost. Records indicate that these expenses are sometimes paid months before the trip takes place or after the conference occurred through a direct reimbursement to the employee. In order to determine attendees of certain conferences, we searched multiple data sources, including purchasing card data, employee reimbursements, and flight information.

Improper Travel to San Diego, California

The International Association of Chiefs of Police (IACP) hosts an annual conference and exposition to inform law enforcement executives about the latest technology, strategies, and solutions available to meet the challenges facing law enforcement. Three other groups also conduct law enforcement conferences in the days leading up to the IACP conference in the same city. LSP troopers and other DPS employees regularly attend these events for training. Travel expenses for these conferences are paid directly with state purchasing cards (P-cards) or by employee reimbursements. DPS provided us with its internal policies on travel and expense reimbursements; however, a Louisiana Division of Administration (Division) representative told us that DPS' travel policies required the Division's approval¹ before the policies were implemented, but were not. As such, the travel regulations established by the Division (PPM 49) should have been followed by all DPS employees for conference travel. Furthermore, LSP's Expense Reimbursement Policy, which was effective April 15, 2010, refers to PPM 49.

We reviewed the DPS employees' travel and payroll records for the conferences held in San Diego, California in October 2016. DPS records and employees' statements indicate that DPS spent \$85,486 for 16^A employees to attend conferences in San Diego in October 2016, an average cost of \$5,342.88 per attendee. The \$85,486 cost of travel was determined by adding the actual travel costs (\$34,131) and the regular and overtime payments of the attendees (\$51,355). This does not include former Col. Michael Edmonson's travel expenses, which, according to Colonel Edmonson, were paid by the IACP. A DPS student employee also traveled to San Diego, but paid his own transportation expenses. LSP paid the student employee's hourly wage for a total of 13 hours; \$160 in conference fees; and another \$250 for him to attend a Foundation Gala. Because DPS did not maintain records to indicate what training sessions the 16 employees attended during these conferences, we could not determine if 16 DPS employees traveling to San Diego was excessive or appropriate.

Twelve of the 16 DPS employees flew to San Diego on commercial airlines.^B Four LSP employees – Maj. Derrell Williams, Lt. Rodney Hyatt, Master Trooper Thurman Miller and Trooper Alexandr Nezgodinsky – traveled to San Diego in Chief of Staff Lt. Col. Charles Dupuy's assigned state vehicle. According to travel and payroll records, these troopers did not

^A Our calculation of expenses does not include the Executive Director of the Louisiana Highway Safety Commission's travel to San Diego, California, because it was incidental to a trip to Los Angeles, California.

^B While 12 DPS employees flew to San Diego, California, DPS only incurred charges for nine of those employees.

use the most direct route for travel, detoured to visit three popular tourist destinations off the longer route, and three of the four troopers may have been paid for hours they did not work. LSP Internal Affairs (IA) personnel told us that Colonel Edmonson directed them to review the four troopers who traveled to San Diego in the LSP vehicle and their related expenses in February 2017. The LSP-IA investigation resulted in the demotions of Major Williams and Lieutenant Hyatt, a letter of reprimand for Master Trooper Miller, and a letter of counseling to Trooper Nezgodinsky. The results of our review of DPS records and interviews of employees are discussed below.

Failure to Consider the Most Cost-Effective Means of Travel

Major Williams, Lieutenant Hyatt, Master Trooper Miller, and Trooper Nezgodinsky traveled to San Diego in a state vehicle instead of flying, which would have been the most cost-effective means of travel. The Office of State Travel publishes its policies and procedures in the Louisiana Travel Guide [Policy and Procedure Memorandum (PPM) 49 or “state policy”]. State policy² requires that the most cost-effective method of transportation be selected. By failing to use the most cost-effective means of travel, these troopers incurred additional costs totaling at least \$12,997 more than necessary for the San Diego trip and may have violated state policy.

Major Williams indicated that Lieutenant Colonel Dupuy invited him to San Diego. Lieutenant Hyatt and Master Trooper Miller told us that Colonel Edmonson invited them to attend the IACP Conference in San Diego and advised that, if they attended the conference, they had to drive a state vehicle. Major Williams, Lieutenant Hyatt, and Master Trooper Miller all stated that they believe Colonel Edmonson wanted to have a vehicle available in San Diego, and that is why they were instructed to drive. Lieutenant Hyatt also said that Colonel Edmonson told Lieutenant Hyatt to bring his (Hyatt’s) wife and “have a good time.” The DPS travel request system shows that Lieutenant Colonel Dupuy’s assistant approved Major Williams, Lieutenant Hyatt, Master Trooper Miller, and Trooper Nezgodinsky’s travel requests. Lieutenant Colonel Dupuy’s assistant told us that she printed every travel request and gave them to Lieutenant Colonel Dupuy for approval. After Lieutenant Colonel Dupuy approved the travel requests, his assistant said she accessed the travel database and approved the travel on his behalf.

Trooper Nezgodinsky said that Lieutenant Hyatt informed him that Lieutenant Colonel Dupuy wanted him on the San Diego trip. Trooper Nezgodinsky stated that he was not registered for the conference and did not know what he would be doing on the trip. However, it was his understanding that he would be a guide for the group in San Diego. Lieutenant Colonel Dupuy confirmed that he provided his state vehicle for the trip because Colonel Edmonson wanted the troopers to drive to San Diego. Lieutenant Colonel Dupuy stated that Lieutenant Hyatt suggested to him that Trooper Nezgodinsky should be invited to go to San Diego because he wanted to “hitch a ride” and had previously worked as a policeman in San Diego and knew the area. Lieutenant Colonel Dupuy said he checked with Colonel Edmonson about Trooper Nezgodinsky going to San Diego, and Colonel Edmonson approved it; however, Colonel Edmonson told us that he did not know who approved Trooper Nezgodinsky to go, but that it was up to each of the Lieutenant Colonels to determine which of their staff should go. The Lieutenant Colonel in Trooper Nezgodinsky’s chain of command informed us that he had no idea

that Trooper Nezgodinsky was traveling to San Diego, nor did he approve his travel to San Diego.

LSP records indicate that Lieutenant Hyatt submitted his travel request to drive to San Diego on August 9, 2016, more than two months before the conference began. Although state policy³ requires a cost evaluation to use a state vehicle to travel in excess of 500 miles, Lieutenant Hyatt stated that he was not asked to prepare the cost-effective analysis until after he returned (see Exhibit 1). In it, Lieutenant Hyatt concluded it would cost \$7,780 for the four troopers to drive and \$8,092 to fly. Table 1 below illustrates our comparison of the actual cost incurred for the four employees to drive to San Diego and our estimated cost for them to fly to San Diego.

**Table 1 – Comparison of Actual Cost to Drive to San Diego and
LLA’s Estimated Cost to Fly**

Expense	Actual Cost to Drive	LLA’s Estimated Cost to Fly
Regular Time (Salary)	\$9,855	\$2,838
Overtime Pay	4,515	-
Meals	1,550	488
Lodging	2,578	-
Fuel	611	127
Air Fare	-	1,752
Luggage Fees	-	200
Airport Parking	-	168
Hotel Parking	-	-
Ground Transportation	-	122
Rental Car	-	417
Total	\$19,109	\$6,112

In accordance with state policy,² our analysis included regular salaries, overtime pay, meals, lodging (during travel), and fuel in determining costs. Lieutenant Hyatt’s post-trip analysis included fuel, lodging, meals, and overtime, but did not include regular time. As shown in the foregoing table, DPS paid \$19,109 for four employees to drive from Baton Rouge to San Diego and back to Baton Rouge. By contrast, DPS would have paid approximately \$6,112 if those employees had flown round trip from New Orleans to San Diego. Based on our analysis, it appears that the decision to travel to San Diego by car cost DPS \$12,997 more than it would have cost to fly.

Table 2 – Lieutenant Hyatt’s Cost-Effective Analysis

Expense	Cost to Drive per Lieutenant Hyatt's Analysis	Lieutenant Hyatt's Estimated Cost to Fly
Regular Time (Salary)	-	-
Overtime Pay	\$3,392	\$1,292
Meals	1,032	488
Lodging	2,745	2,696
Fuel	611	63
Air Fare	-	2,112
Luggage Fees	-	200
Airport Parking	-	384
Hotel Parking	-	376
Ground Transportation	-	-
Rental Car	-	481
Total	\$7,780	\$8,092

Lieutenant Hyatt’s post-trip analysis – which did not consider the troopers’ regular pay – concluded it would cost \$7,780 for the four troopers to drive and \$8,092 to fly. On its face, Lieutenant Hyatt’s analysis suggests it was cheaper to drive; however, we found the actual costs of travel, not including the troopers’ regular pay, was \$9,254, or \$1,474 more than Lieutenant Hyatt stated in his analysis. In addition, our estimate of the costs to fly – excluding regular pay as Lieutenant Hyatt did – was only \$3,274, or \$4,818 less than Lieutenant Hyatt’s estimate. As a result, Lieutenant Hyatt’s analysis should have shown that driving was \$5,980 more expensive than flying to San Diego. This number climbs to \$12,997 when the troopers’ regular time is considered. The inclusion of regular time is important not only because state policy² requires it, but because every unnecessary hour of travel (e.g., how long it takes to fly to San Diego versus the length of time it takes to drive) prevents troopers from performing their regularly assigned work. When asked about the troopers taking a vehicle to San Diego, former Colonel Edmonson said that he was told there was an opportunity to bring a vehicle to San Diego, and he was fine with it.

Failure to Take the Most Direct Route

State policy⁴ requires that official state travelers take the most direct travel routes. As previously mentioned, Major Williams, Lieutenant Hyatt, Master Trooper Miller, and Trooper Nezgodinsky were directed to drive to San Diego in a state vehicle. In Lieutenant Hyatt’s response to his intended demotion letter, Lieutenant Hyatt stated that he discussed the route with Lieutenant Colonel Dupuy, who suggested that they (the troopers in the vehicle) “stay up and drive straight through without stopping.” According to DPS records and the four troopers in the vehicle, they stopped at the Grand Canyon, Hoover Dam, and Las Vegas, which were not along the most direct route to San Diego. By failing to take the most direct route and traveling to and staying overnight at tourist attractions, we estimate that these employees incurred \$5,607^C in additional expenses and may have violated state policy.⁴

^C These expenses are included in Table 1 on page 9 as “Actual Cost to Drive.”

According to DPS records, statements from the four troopers, and their approximate travel time, we prepared the following map and table of expenses (Table 3) of their travel to and from San Diego.

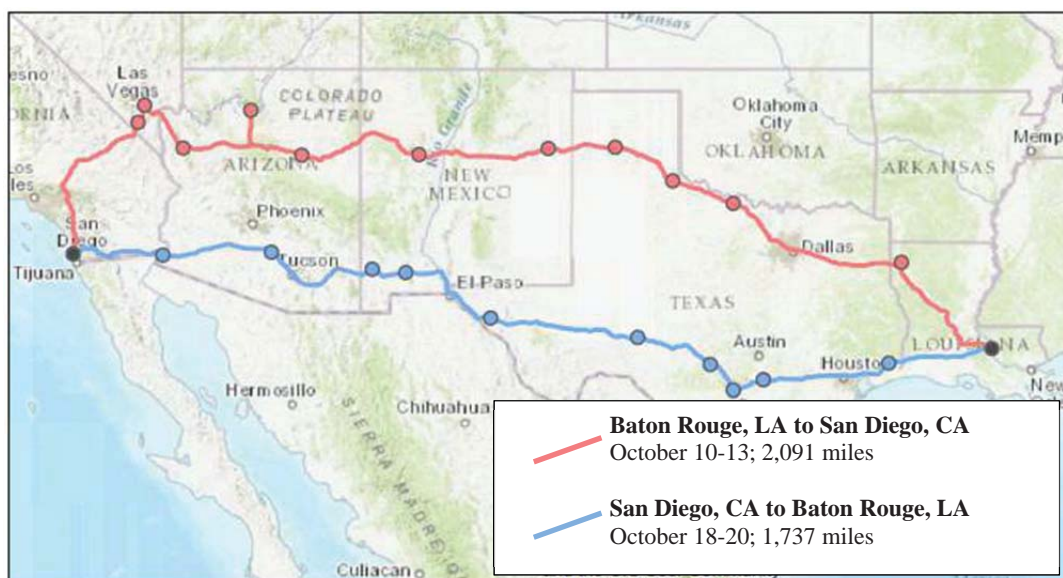


Table 3 – Comparison of Expenses between the Two Routes Traveled by DPS Employees

Expense	Baton Rouge to San Diego Actual Expenses	San Diego to Baton Rouge Actual Expenses (Most Direct Route)
Regular Time (Salary)	\$5,773	\$4,081
Overtime Pay	3,249	1,266
Meals	976	575
Hotel	2,004	574
Fuel	356	255
Total	\$12,358	\$6,751

By taking the northern route from Baton Rouge to San Diego, including stops at the Grand Canyon, the Hoover Dam, and Las Vegas, the four troopers traveled approximately 2,091 miles (red line on map) at a cost of \$12,358.^D The return trip from San Diego, California to Baton Rouge was along the more direct southern route and required them to travel only 1,737 miles (blue line on map) at a cost of \$6,751.^D The southern route home was 354 miles shorter than the route taken to San Diego and took one less day.

Lieutenant Hyatt told us that he and his wife met with Lieutenant Colonel Dupuy in the DPS Cafeteria on the morning of October 10, 2016, the first day of travel for the four troopers traveling in the state vehicle. According to Lieutenant Hyatt, Lieutenant Colonel Dupuy told him to speak with Colonel Edmonson before leaving for San Diego. Lieutenant and Mrs. Hyatt

^D These expenses are included in Table 1 on page 9 as “Actual Cost to Drive.”

told us that Colonel Edmonson recommended they take the northern travel route to San Diego because the southern route was “boring” and mostly desert. According to Google Maps, the northern route, including detours, was 351 miles longer than the most direct route and would lengthen the trip by an additional six hours. Lieutenant Hyatt stated that the route was discussed at the breakfast table along with Colonel Edmonson and Lieutenant Colonel Dupuy, and that there would be stops at the Grand Canyon and Las Vegas along the way. He also said that Lieutenant Colonel Dupuy asked them to send photos of their stops to him and Colonel Edmonson. Lieutenant Colonel Dupuy confirmed that the troopers took photos of their stops and sent them to himself and Colonel Edmonson. Mrs. Hyatt provided us with text messages she sent Colonel Edmonson (Exhibit 2).

Major Williams, Master Trooper Miller, and Trooper Nezgodinsky stated that they did not eat breakfast in the Cafeteria that morning, but met Lieutenant and Mrs. Hyatt on the LSP compound that morning before beginning their drive to San Diego. Master Trooper Miller drove from his home in Natchitoches to Baton Rouge on the morning they left for San Diego. He said that he did not know the route they were taking and was disappointed when he discovered their route had them traveling through Natchitoches. According to Master Trooper Miller, Lieutenant Hyatt told him before they left that they would make stops at the Grand Canyon and Las Vegas that would make the trip “worth our time.” According to Major Williams, although he was the ranking officer in the vehicle, he did not question the route taken to San Diego because he knew that Lieutenant Hyatt spoke to Colonel Edmonson before the trip and was communicating with him during the trip.

Colonel Edmonson told us that he did not pick the route and that he trusted the troopers’ judgment. Lieutenant Colonel Dupuy said he did not recall if Colonel Edmonson suggested the route, but it made sense that he would because Colonel Edmonson’s son recently drove that route to California. Colonel Edmonson also told us he was not aware of the detours to the Grand Canyon and Las Vegas until after the trip. Colonel Edmonson said he did not have a problem with the stops at the Grand Canyon and Las Vegas, as long as the troopers paid for it themselves.

By failing to take the most direct route and traveling to and staying overnight at tourist attractions, we estimate that these employees incurred \$5,607 in additional expenses and may have violated state policy.⁴

Improper Hours Recorded on Time Sheets

We reviewed DPS records and time sheets of the four LSP troopers who traveled to San Diego in a state vehicle and found they may have recorded hours they did not work. Upon returning from San Diego, Lieutenant Hyatt and Master Trooper Miller turned in their initial time sheets claiming 15-24 hours per day for the days they traveled to and from San Diego. Additionally, Trooper Nezgodinsky told us that he met with Lieutenant Hyatt to prepare his time sheet upon returning from San Diego.

Lieutenant Hyatt

Lieutenant Hyatt said that LSP travel policy and the Fair Labor Standards Act allowed troopers to be paid from the time they leave home until they return and that he used this as the basis for completing his initial time sheet. However, Captain Graphia, Lieutenant Hyatt's supervisor, told us that after discussing the time sheet with Lieutenant Colonel Dupuy, he returned Lieutenant Hyatt's time sheet with instructions to claim only the time he was actually traveling or working. A summary of Lieutenant Hyatt's time sheets is noted in the table below:

Table 4 – Comparison of Lieutenant Hyatt's Initial and Revised Time Sheets

Status	Date	Hours Per Day – Initial Time Sheet	Hours Per Day – Revised Time Sheet
Travel	Monday, October 10, 2016	18.0	12.0
	Tuesday, October 11, 2016	24.0	12.0
	Wednesday, October 12, 2016	24.0	12.0
	Thursday, October 13, 2016	22.0	14.0
Conference	Friday, October 14, 2016	14.0	14.0
	Saturday, October 15, 2016	14.0	14.0
	Sunday, October 16, 2016	12.0	12.0
	Monday, October 17, 2016	12.0	12.0
Travel	Tuesday, October 18, 2016	15.0	12.0
	Wednesday, October 19, 2016	24.0	12.0
	Thursday, October 20, 2016	17.0	11.0

Lieutenant Hyatt's second time sheet claimed 11-14 hours per day while traveling to and from San Diego. Lieutenant Hyatt also claimed hours for work he said he performed outside of the conference for Colonel Edmonson while in San Diego. This resulted in 63 hours of overtime that cost DPS an additional \$4,534. According to Lieutenant Hyatt, Colonel Edmonson invited him to attend the conference with the understanding that he would drive a state vehicle to San Diego. Lieutenant Hyatt said that when he arrived in San Diego, Colonel Edmonson had Lieutenant Hyatt drive him (Edmonson) to and from IACP vendor-sponsored events. Lieutenant Hyatt stated that this caused him to miss some of the training sessions he was scheduled to attend.

Lieutenant Hyatt's time sheet shows he claimed 12 hours per day for three consecutive days (36 hours) from Monday, October 10, 2016 to Wednesday, October 12, 2016, driving from Baton Rouge to Las Vegas. Google Maps indicates that it takes approximately 24 hours to travel from Baton Rouge to Las Vegas. However, Lieutenant Hyatt, Major Williams, Master Trooper Miller, and Trooper Nezgodinsky detoured from this route to drive to the Grand Canyon. Lieutenant Hyatt told us he woke up early to make phone calls and respond to emails before continuing the drive to San Diego. However, it appears that Lieutenant Hyatt also claimed hours while detouring to the Grand Canyon, Hoover Dam, and Las Vegas, Nevada.

Additionally, statements from DPS employees indicate that on Saturday, October 15, 2016, DPS conference attendees convened at a San Diego bar at approximately 4:30 p.m. (Pacific Daylight Time) to watch the LSU Tigers - Southern Miss Golden Eagles football game. According to a photograph and statements from attendees, Lieutenant Hyatt was at the bar watching the game. Lieutenant Hyatt's time sheet shows he worked from 8:00 a.m. to 10:30 p.m. that day. Lieutenant Hyatt said he claimed the time after 4:30 p.m. because he was "on standby" for Colonel Edmonson. However, Colonel Edmonson told us that he did not tell anyone to be there, and that they gathered at the bar to watch the football game. He also said that some vendors were at the bar, and Lieutenant Hyatt may have discussed some business with them.

Lieutenant Hyatt's time sheet shows he claimed work time from 9:00 a.m. to 9:30 p.m. on Monday October 17, 2016. Lieutenant Hyatt also acknowledged that on this day, he took some "time for himself." According to Lieutenant Hyatt, he and his wife went to the San Diego Zoo and drove around the area. Lieutenant Hyatt stated that although he took this time to himself, he was "on standby" if needed. Lieutenant Hyatt recorded on his time sheets that he worked until 9:30 p.m. or 10:30 p.m. from Thursday, October 13, 2016 to Monday, October 17, 2016, because he was attending events or meetings at Colonel Edmonson's direction.

For example, Lieutenant Hyatt stated that Colonel Edmonson directed Trooper Nezgodinsky and him to drive Colonel Edmonson, Colonel Edmonson's wife, and a friend to an IACP event on Sunday, October 16, 2016. Trooper Nezgodinsky said he filled up the DPS vehicle that morning with the DPS FuelTrac card and then picked up Lieutenant Hyatt, Colonel Edmonson's friend, Colonel Edmonson, and Colonel Edmonson's wife. Trooper Nezgodinsky stated that he drove them to Torrey Pines Golf Course and to La Jolla Shores Beach (a popular beach north of San Diego). According to Google Maps, travel to both locations averaged a total of approximately 30 miles (round-trip) from downtown San Diego and took approximately 30 to 40 minutes to drive. According to the IACP Conference Event Guide, the event at Torrey Pines was a charity tournament to raise funds for a non-profit organization.

Master Trooper Miller

DPS records show that Master Trooper Miller submitted a second time sheet claiming 80 hours of regular time and 128 hours of overtime. On Thursday, October 13, 2016, and Friday, October 14, 2016, Master Trooper Miller's time sheet shows that he worked until 10:30 p.m. nightly. According to Master Trooper Miller, he was either working on projects or attending events because Lieutenant Hyatt advised him that was what Colonel Edmonson wanted.

Trooper Nezgodinsky

DPS records show that Trooper Nezgodinsky submitted three different time sheets for the pay period where he traveled to San Diego for the IACP Conference. He submitted his first time sheet before he left for San Diego claiming 80 hours of compensatory leave

because he had a scheduled vacation with his family the week following the San Diego trip. He said that when they were in Las Vegas, Lieutenant Hyatt told him that Lieutenant Colonel Dupuy said he would be getting paid for his time on the trip. Trooper Nezgodinsky provided emails showing that he submitted a second time sheet on Wednesday, October 12, 2016, claiming 8-12 hours per day (excluding Saturday and Sunday) from October 10, 2016 to October 18, 2016, which totaled 80 hours regular time for the two-week pay period. He said after he returned from San Diego, he met with Lieutenant Hyatt to change his time sheet to show 12-14 hour days (similar to Lieutenant Hyatt's time sheet) from October 10, 2016 to October 19, 2016, which totaled 80 hours of regular time and 42 hours of overtime. Trooper Nezgodinsky told us that Lieutenant Hyatt approved his time sheet because Lieutenant Hyatt was his supervisor on the San Diego trip.

Excessive Lodging Expenses While Traveling to and from San Diego

State policy⁵ sets forth allowable lodging rates based on geographical area. The four troopers who traveled to San Diego by vehicle incurred \$531^E more in lodging expenses than state policy allowed for the respective areas. While driving to San Diego, the troopers stayed in Amarillo, Texas; Grand Canyon, Arizona; and Las Vegas, Nevada. On the return trip to Baton Rouge, the troopers spent the night in Deming, New Mexico^F and San Antonio, Texas. The following table (Table 5) illustrates the hotel stays that appear to have exceeded the allowable lodging rates.

Table 5 – Analysis of Excessive Lodging Expenses While Driving to/from San Diego

Employee	Date	Lodging Area	Hotel Rate	Allowable Lodging Rate	Excess
Rodney Hyatt	Monday, October 10, 2016	Amarillo, TX	\$149	\$91	\$58
Derrell Williams	Monday, October 10, 2016	Amarillo, TX	\$149	\$91	58
Rodney Hyatt	Tuesday, October 11, 2016	Grand Canyon, AZ	\$229	\$91	138
Derrell Williams	Tuesday, October 11, 2016	Grand Canyon, AZ	\$229	\$91	138
Thurman Miller & Alexandr Nezgodinsky	Tuesday, October 11, 2016	Grand Canyon, AZ	\$229	\$182	47
Rodney Hyatt	Wednesday, October 12, 2016	Las Vegas, NV	\$159	\$126	33
Derrell Williams	Wednesday, October 12, 2016	Las Vegas, NV	\$159	\$126	33
Rodney Hyatt	Wednesday, October 19, 2016	San Antonio, TX	\$152	\$126	26
Total					\$531

Master Trooper Miller and Trooper Nezgodinsky shared a room traveling to San Diego. Major Williams and Lieutenant Hyatt were unable to share a room traveling to San Diego because Lieutenant Hyatt's wife was accompanying him on the trip. As a result, both Major Williams and Lieutenant Hyatt had three hotel stays that exceeded the allowable rates on the way to San Diego.

^E This cost is included in Table 1 on page 9 as "Actual Cost to Drive."

^F The lodging expenses incurred in Deming, New Mexico did not exceed the allowable lodging rates; therefore, Deming, New Mexico is excluded from Table 5.

On the return trip, Trooper Nezgodinsky left the other troopers and went on a family vacation. Major Williams and Master Trooper Miller shared a room on the way back to Baton Rouge; Lieutenant Hyatt shared a room with his wife. On the return trip, only Lieutenant Hyatt had a hotel stay that exceeded the allowable rates.

Even though Lieutenant Hyatt submitted his travel request on August 9, 2016, he told us that they did not reserve rooms before leaving for San Diego because, being LSP troopers, they were mindful of road closures, accidents, and road construction that could delay their travel. Lieutenant Hyatt also told us he reserved all rooms online throughout their trip but was unable to provide confirmation emails showing the dates the rooms were reserved.

Excessive Lodging Expenses Incurred as a Result of Hotel Change and Late Cancellation

LSP Capt. Gregory Graphia reserved a room for five nights at the Hotel Solamar (a conference hotel) in San Diego for \$1,401, or \$280 per night. According to Captain Graphia, the Hilton San Diego Gaslamp Quarter Hotel (Hilton) – another conference hotel and the hotel where other LSP troopers were staying – had no rooms available. Captain Graphia later learned that the Hilton had a vacancy, canceled his reservation at the Hotel Solamar, and booked a room at the Hilton. Because Captain Graphia canceled his reservation on short notice, Hotel Solamar charged his state purchasing card a cancellation fee equal to one night's stay (\$280). The Hilton, located approximately three blocks from the Hotel Solamar, cost \$1,741, or \$348 per night. By failing to cancel his reservation timely and booking at another hotel, Captain Graphia incurred a cancellation fee of \$280 and additional lodging charges of \$340.

Unauthorized Persons Traveled in State Vehicle

State policy⁶ does not allow unauthorized persons to be transported in state vehicles. Approval of exceptions to this policy may be made by the Department Head if he determines that the unauthorized person is part of the official state business and the best interest of the state will be served and the passenger (or passenger's guardian) signs a "Non-State Employees Utilizing State Vehicles" form acknowledging that the state assumes no liability for any loss, injury, or death resulting from said travel. As previously mentioned, Colonel Edmonson allowed Ms. Hyatt to travel in the state vehicle to and from San Diego. In addition, Colonel Edmonson allowed his wife and friend – both non-state employees – to travel in a state vehicle during the IACP Conference. However, DPS had neither completed forms nor documentation showing that it was in the state's best interest to transport them in a public vehicle which, in turn, violated state travel policy⁶ and exposed the state to unnecessary risk.

Other Travel

We reviewed the expenses related to the following five out-of-state trips:

- **International Association of Chiefs of Police (IACP) Conference in Orlando, Florida in October 2014;**
- **Louisiana District Attorney Association (LDAA) Conference in Destin, Florida in July 2015;**

- **IACP Conference in Chicago, Illinois in October 2015;**
- **IACP Conference in San Diego, California in October 2016; and**
- **Congressional visits with Louisiana delegates in Washington, DC in February 2017.**

The following table summarizes the number of attendees per trip and the expenses we were able to locate.

Table 6 – Summary of Five Out-of-State Trips

Trip	Number of DPS Employees	Cost to DPS	Average Cost Per Employee
2014 IACP Orlando, FL	13	\$47,266	\$3,635.85
2015 LDAA Destin, FL	4	\$10,370	\$2,592.50
2015 IACP Chicago, IL	9	\$39,162	\$4,351.33
2016 IACP San Diego, CA	16	\$85,486	\$5,342.88
2017 Congress Visits - Washington, DC	8	\$23,965	\$2,995.63

Since DPS does not maintain attendance records when employees attend training, we could not determine if the number of employees traveling was excessive or appropriate. Since the 2016 IACP Conference in San Diego had the highest cost and highest average cost per employee, our audit focused primarily on that trip.

Conclusion

DPS records and employees' statements indicate that former LSP Superintendent Col. Michael Edmonson and Lieutenant Col. Charles Dupuy appear to have directed and/or approved conference travel without considering state policy. By failing to follow these policies, Colonel Edmonson and Lt. Col. Charles Dupuy may have caused DPS to incur unnecessary expenses and exposed the state to unnecessary risk.

Recommendations

We recommend that LSP consult with legal counsel to consider recovering inappropriate travel expenses from employees. Additionally, LSP management should:

- (1) Consider implementing a Travel Coordinator to monitor and keep track of all out-of-state travel and training expenses so that DPS' training needs are met in a cost-effective manner;
- (2) Make sure employees are adequately trained on the state's travel policy;

- (3) Clearly define appropriate travel times with regards to non-routine conference travel in DPS' written internal travel policies;
- (4) Ensure that the most cost-effective method of transportation is chosen when allowing or directing employees to travel;
- (5) Utilize the least expensive conference rate hotels when traveling;
- (6) Document the business purpose for non-state employees to travel in state vehicles and have non-state employees sign necessary forms to minimize the state's liability; and
- (7) Ensure employees have a valid business purpose before traveling.

Improper Use of Hotel Rooms during Mardi Gras

From February 2013 to February 2016, the City of New Orleans purchased hotel rooms for LSP troopers who resided outside of the New Orleans area who were providing public safety services during Mardi Gras. During this time, records and statements obtained from LSP troopers and others indicate that Colonel Edmonson:

- **Obtained extra hotel rooms paid for by the City of New Orleans, either in his name or in the name of other LSP troopers;**
- **Allowed his friends and family to stay in those extra hotel rooms free of charge; and**
- **Received reimbursement from LSP for a hotel room in 2014, even though the City of New Orleans purchased a hotel room for him at another hotel.**

By providing rooms purchased by the City of New Orleans to his friends and family free of charge, and by receiving an improper reimbursement, Colonel Edmonson may have violated the Louisiana Constitution⁷ and state law.^{8,9}

LSP provides troopers to the City of New Orleans during Mardi Gras to assist with public safety and traffic control. In exchange, the City of New Orleans pays lodging for the LSP troopers who reside outside of the New Orleans area.

The New Orleans Police Department (NOPD) works with the Greater New Orleans Hotel and Lodging Association (GNOHLA) to obtain lodging for the out-of-area LSP troopers assigned to work during Mardi Gras. GNOHLA sends an email to its member hotels asking them to provide rooms to troopers at a discounted rate.^G The hotel rooms' discounted rates are set by GNOHLA, which instructs the participating hotels to submit all hotel room invoices to

^G Room rates varied between \$60 and \$90 per night during the years 2013 through 2017.

NOPD for payment following Mardi Gras. Participating hotels also provide each trooper with a parking space for his/her vehicle.

Prior to each Mardi Gras, GNOHLA sends NOPD a list of participating hotels and the number of rooms each hotel is providing at the discounted rate. NOPD retains some rooms for its use and then sends a list of the remaining rooms to LSP. According to LSP employees and correspondence, the list is forwarded up the chain of command to the LSP Superintendent or one of the lieutenant colonels to select the hotels where LSP's upper echelon and their staff will stay. After their rooms are selected, the list of remaining hotel rooms is sent to LSP's Mardi Gras detail coordinator, who assigns hotel rooms to the lower-ranking troopers working the detail. To ensure that the City of New Orleans^H only pays for lodging costs, troopers are typically required to use their personal credit cards to pay for any incidentals that may be charged to their rooms during their stay.

We interviewed troopers and reviewed records from participating hotels and DPS during our audit. We compared the hotel invoices paid by the City of New Orleans to LSP's list of trooper hotel assignments from February 2013 to February 2016. Our audit revealed the following:

Colonel Edmonson Received Extra Hotel Rooms During Mardi Gras

Records indicate that Colonel Edmonson had multiple rooms in his name and/or in the names of other troopers each Mardi Gras from February 2013 to February 2016. Two troopers who had rooms billed under their names at the Windsor Court Hotel said they never stayed at that hotel while working the Mardi Gras detail. Colonel Edmonson's email records indicate that Colonel Edmonson checked into at least one of these rooms at the Windsor Court Hotel online. Colonel Edmonson also had rooms each year at the Roosevelt Hotel that he checked into using his reward number. Colonel Edmonson said that he does not know who, if anyone, stayed at the Roosevelt Hotel, but he kept the room in case it was needed as an extra room. Colonel Edmonson acknowledged that by checking into the Roosevelt Hotel he obtained wristbands for his friends and family to have access to the hotel, but he thought that someone (with LSP) could use the room if needed. Multiple troopers told us that Colonel Edmonson's friends and family stayed in New Orleans for Mardi Gras, but they did not know if his friends and family stayed in hotel rooms intended for troopers. Colonel Edmonson told us that all of the hotel rooms in New Orleans were for troopers.

Colonel Edmonson Provided Free Rooms to Friends and Family

The Windsor Court Hotel invoices indicate that two guests stayed in a suite registered in a trooper's name from February 13, 2015 to February 17, 2015. Incidental charges for this suite totaled \$919 and included \$320 in parking charges for a five-night stay. The trooper in whose name the room was billed said he did not stay in the room, did not incur the incidental charges, and did not pay the incidental charges incurred. Records from Colonel Edmonson's email indicate that the credit card used to pay the incidental charges for this room belonged to one of Colonel Edmonson's friends.

^H After receiving the hotel invoices, NOPD forwards the invoices to the City of New Orleans for payment.

We spoke with Colonel Edmonson regarding this room at the Windsor Court Hotel. Colonel Edmonson stated that he remembered “they (his friends) needed a room, they got there (New Orleans, LA), and they didn’t have one.” We inquired with Colonel Edmonson as to why his friends would travel to New Orleans with bags packed during Mardi Gras without a hotel room. Colonel Edmonson later acknowledged that he invited his friends to stay in that room but “thought it was being paid for” by his friends. Colonel Edmonson’s friend confirmed that he and his wife stayed in the room and that he used his credit card to pay the incidental charges. Colonel Edmonson’s friend also said that there were multiple occasions when Colonel Edmonson told his wife and him that he (Colonel Edmonson) had booked a room for them at the Windsor Court Hotel, and this may have been one of those occasions. However, Colonel Edmonson’s friend said he and his wife were under the impression that Colonel Edmonson paid for the room personally and had no idea the City of New Orleans paid for the room. The Windsor Court Hotel’s General Manager said the room in question was intended for use by troopers; however, he did not know who stayed in the room. Based on the rates the Windsor Court Hotel normally charges during Mardi Gras, the value of this room for a five-night stay was approximately \$3,075.

Loews New Orleans Hotel’s records show that LSP was provided one room in 2016. A trooper told us that Colonel Edmonson directed him to get the room key and give it to Colonel Edmonson’s stepdaughter. A second trooper told us that he witnessed this exchange and stated that Colonel Edmonson’s stepdaughter and her friend stayed in the room for a couple of nights then left, at which time a trooper moved into the room. We spoke to the trooper who stayed at the Loews New Orleans Hotel in 2016 after Colonel Edmondson’s stepdaughter and her friend left; he confirmed this sequence of events.

Le Meridien Hotel records indicate that the trooper who was directed to give Colonel Edmondson’s stepdaughter the key to his room at Loews New Orleans Hotel also had a room in his name at Le Meridien in 2016. Colonel Edmonson told us that his stepdaughter stayed at the Loews New Orleans Hotel one year, but thought that either he or his stepdaughter paid for the room; however, he could not provide us with any records showing that he or his stepdaughter paid for the room. Colonel Edmonson eventually acknowledged that his stepdaughter stayed in that room, but said it was an extra room that had been taken out of service because the air conditioner was broken. Based on the rates normally charged by the Loews New Orleans Hotel during Mardi Gras, the estimated value of this room for a two-night stay was \$786.

Colonel Edmonson’s Improper Lodging Reimbursement

Colonel Edmonson was reimbursed \$515 on April 2, 2014, for lodging in New Orleans for a “Mardi Gras Detail.” Documentation submitted by Colonel Edmonson with his reimbursement shows that he stayed three nights (February 28, 2014 to March 3, 2014) at the Hotel Mazarin in New Orleans (see Exhibit 3). However, other records we reviewed show that Colonel Edmonson had a room at the Roosevelt Hotel paid for by the City of New Orleans during this same time (see Exhibit 4). Colonel Edmonson told us that he booked the room at Hotel Mazarin so LSP would have a place to hold meetings. However, multiple troopers told us that they did not recall having any meetings at the Hotel Mazarin. LSP operates out of the

Cabildo in New Orleans, which is five blocks from Hotel Mazarin; the troopers we spoke with said that meetings typically were held at the Cabildo.

Conclusion

The City of New Orleans purchased hotel rooms for out-of-area troopers providing public safety services during Mardi Gras from February 2013 to February 2016. However, records and statements indicate that Colonel Edmonson allowed his friends and family to use some of these rooms free of charge, and may have received an improper reimbursement, all of which may violate the Louisiana Constitution⁷ and state law.^{8,9}

Recommendations

DPS should consult with its legal counsel regarding the appropriate actions to take against anyone who misused rooms paid for by the City of New Orleans and intended for troopers to use. DPS should develop written policies and procedures ensuring hotel rooms purchased with public funds are used by troopers for official business purposes only.

Misuse of LSP Personnel and Assets

DPS records and statements from multiple employees indicate that Colonel Edmonson directed troopers to run personal errands for him and his family and friends and perform services during work hours for non-profit organizations with which he was affiliated. By using public resources for his personal benefit and donating public resources to those non-profit organizations, Colonel Edmonson may have violated the Louisiana Constitution⁷ and state law.^{8,9,10,11,12}

Troopers Ran Personal Errands for Colonel Edmonson, His Family, and Friends

Several troopers told us Colonel Edmonson routinely had them run personal errands for him, his family, and friends. Some of these troopers indicated that they ran these errands during their workday and did not take personal leave. Some examples of the errands run by the troopers included:

Bob Seger Concert in Lafayette

A trooper told us that Colonel Edmonson provided him a ticket to a Bob Seger concert and had him drive Colonel Edmonson's wife, his mother-in-law, and one of Colonel Edmonson's friends to and from the concert at the CajunDome in Lafayette, Louisiana. The trooper said he drove them to Lafayette as instructed in a state vehicle.

Golden Nugget Casino in Lake Charles

Another trooper told us that Colonel Edmonson asked him to transport Colonel Edmonson's wife, mother-in-law, and two of Colonel Edmonson's wife's friends to and from the Golden Nugget Casino in Lake Charles, Louisiana in October 2015. This trooper stated that he picked the passengers up at their residences in a state vehicle and took them to Lake Charles, where they stayed overnight. The trooper said he then returned to Baton Rouge. He drove back to Lake Charles in a state vehicle two days later, picked them up, and brought them back to Baton Rouge.

New Orleans Mardi Gras Events

Several troopers told us that they frequently transported Colonel Edmonson's family and friends to different events or locations while in New Orleans during Mardi Gras, including Mardi Gras balls, house parties, local bars, restaurants, and hotels. A trooper told us that, on one occasion, the Colonel's wife and her friend got in the trooper's LSP vehicle and told him to drive them to the Windsor Court Hotel. Other LSP troopers informed us that they were required to escort Colonel Edmonson's wife and friend to the French Quarter while wearing costumes, which may have included parts of the LSP uniform. Another trooper stated that his Sergeant instructed him to drive to uptown New Orleans and pick up Colonel Edmonson's stepson and a friend at a residence. He stated that the stepson and the friend got tired of waiting for him, so they went to a nearby restaurant, where he picked them up; he then dropped them off somewhere on Canal Street. Two other troopers stated that they drove Colonel Edmonson, his wife, and another couple to local bars during Mardi Gras in an LSP vehicle. Some of the troopers who worked off-duty details at the Endymion Ball stated that their primary purpose was to take care of Colonel Edmonson and his guests who were attending the Ball. In addition, the Krewe of Endymion President told us that he provided between two and four free tickets to the Endymion Ball each year to Colonel Edmonson. The tickets cost \$295 each. Endymion paid LSP \$382,365 for troopers' time spent providing security services on the Krewe of Endymion's behalf from 2013 to 2017. State law¹³ prohibits public servants from accepting anything of economic value as a gift or gratuity from any person or employee of any person who has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency.

Airport Trips

Multiple troopers told us they transported different members of Colonel Edmonson's family to the airport on different occasions. One of these troopers was assigned to Troop B in Kenner, Louisiana and was required to travel to Baton Rouge during the work day in an LSP vehicle to pick up Colonel Edmonson's wife and drive her to the airport in Kenner. Another trooper indicated that he transported Ms. Edmonson and her friend to the airport to catch a private jet to Destin, Florida.

Food Delivery from DPS Cafeteria

One trooper told us that when Colonel Edmonson's friend's father passed away, he was instructed to pick up trays of food from the DPS Cafeteria and deliver them to a private residence during the workday in his LSP vehicle. According to the trooper, no one was at the residence when he arrived, so he left the trays of food on a table.

Other personal errands are discussed on pages 28 and 31 of this report. Colonel Edmonson could recall some, but not all, of the instances where troopers drove his family and friends. However, Colonel Edmonson stated that if his wife was going somewhere and a trooper was going in that direction, he certainly would have allowed his wife to ride with the trooper. He also told us that no one ever complained to him about doing things he asked them to do.

Public Resources Used to Facilitate Events Held by Non-Profit Organizations at the DPS Compound in Baton Rouge

Several troopers and DPS personnel told us that they were required to spend time during work hours and use public resources to assist multiple non-profit organizations affiliated with Colonel Edmonson that used DPS facilities to host their events at no charge to the organizations. However, non-profit organizations who were not affiliated with Colonel Edmonson paid DPS for similar services. The Louisiana Attorney General's office has consistently opined¹⁴ that the public purpose of the expenditure of funds must be in agreement with the governmental purpose for which the entity has legal authority to pursue and ensure that the benefit it receives is commensurate with the public funds it expends. DPS emails, records, and statements from employees indicate that Colonel Edmonson authorized the use of public employees, equipment, facilities, and trusty labor and provided meals to assist organizations affiliated with Colonel Edmonson with events on the DPS compound in Baton Rouge free of charge. DPS could not provide any cooperative endeavor or hold harmless agreements with the non-profits or any evidence that DPS had a demonstrable, objective, and reasonable expectation of receiving at least equivalent value in exchange for the expenditures of public funds, nor could it show that the non-profits had liability insurance for the events held on state property.

By using public resources for his personal benefit and the benefit of the non-profits with which he was affiliated, Colonel Edmonson may have violated the Louisiana Constitution⁷ and state law.^{8,9,10,11,12}

Recommendations

We recommend that DPS management implement and enforce written policies to ensure that public resources are used solely for public purposes. These policies should also prohibit DPS employees from using public assets or their time for the personal benefit of their supervisor.

Colonel Edmonson and His Family Resided on the DPS Compound without Proper Authority

Colonel Edmonson and his family resided on the DPS Compound without legal authority, which may have violated state law.^{8,9} We estimate the value of the benefit that Colonel Edmonson received from living on the compound from February 2008 until March 2017 to be \$434,720.¹ Additionally, the benefit of living on the DPS compound was not reported as a taxable benefit to Colonel Edmonson, as required by the Internal Revenue Code.

The Residential Conference Center (RCC) was constructed in 2002 and is located on the DPS compound. DPS does not have written policies and procedures regarding the RCC's use or purpose. DPS employees told us that the RCC was built to house the Governor, Director of the Office of Emergency Preparedness, and LSP Superintendent during emergency situations. Multiple DPS employees said that although previous colonels have stayed at the RCC during the work week, they went home on weekends. Statements from DPS employees indicate that Colonel Edmonson is the only LSP Superintendent to move his family into the RCC.

Colonel Edmonson told us that he and his family lived in the RCC while he was Colonel and that the Governor's staff was aware of this. He further stated that previous LSP Colonels have lived on state property since the 1930s. However, our audit revealed the following:

- Despite its name, no conferences were held in the RCC during Colonel Edmonson's tenure as LSP Superintendent;
- Unlike the Governor, who has a state law¹⁵ entitling him to the use and occupancy of the Governor's mansion as his official place of residence during his term of office, we were unable to find a law, administrative rule, LSP policy, or contract that authorizes the LSP Superintendent to use and occupy the RCC as his primary residence. After a diligent search, LSP management told us they also were unable to find any legal authority for Colonel Edmonson and his family to live in the RCC;
- DPS employees told us that a trusty worked at the RCC exclusively to cook, clean, and perform other services for Colonel Edmonson and his family, including walking Colonel Edmonson's dog;
- The benefit of living in the RCC was not included in Colonel Edmonson's taxable wages. *IRS Publication 15-B* provides that fringe benefits provided to employees must be valued at fair market value and reported on each employee's Form W-2. Fringe benefits of lodging are taxable unless three requirements are met: (1) the lodging must be on the business premises, (2) the lodging must be furnished for the employer's convenience, and (3) the employee must accept it as a condition of employment. We were unable to find any documentation or other evidence that

¹ Since Colonel Edmonson's use of the RCC included utilities, we based our estimate on \$1 per month per square foot of living space (\$3,952 per month).

Colonel Edmonson lived at the RCC for his employer's convenience or that he was required to live there as a condition of his employment. Under those particular facts, it appears that Colonel Edmonson's benefit of living in the RCC was and should be taxable;

- A former DPS undersecretary told us that DPS excluded the benefit of living in the RCC from Colonel Edmonson's taxable wages because of a Louisiana Department of Corrections policy that requires wardens to live on prison grounds. However, DPS neither operates a prison nor houses inmates on the DPS compound. Moreover, there was no documentation to indicate that living in the RCC was a condition of Colonel Edmonson's employment;
- DPS records and statements from DPS employees show that the RCC was modified to construct a closet, which purportedly was used as a shoe closet for Colonel Edmonson's wife. At Colonel Edmonson's request, a set of double doors located in the RCC living room were removed, and the entry was eliminated using wooden framing studs and drywall. The drywall was taped, floated, textured and painted to match the surrounding walls both inside the shoe closet and in the living room where the double doors had previously existed. Shoe racks, baseboards, and crown molding were installed, caulked, and painted to match the existing structure. This project was performed by DPS employees and trustees over a three- to four-week period. We were unable to determine the cost to construct the shoe closet, as a record of supplies used/purchased for this project was not maintained; and
- In addition, DPS paid for RCC's electricity, cable television service, internet service, cleaning supplies, flowers, etc. at Colonel Edmonson's request. DPS records indicate that these purchases cost \$19,330 from December 23, 2013 to February 27, 2017.

Conclusion

Colonel Edmonson and his family lived in the RCC without having a law, administrative rule, LSP policy, or contract authorizing him to do so, which may violate state law.^{8,9} Moreover, because there was no documentation or other evidence that Colonel Edmonson lived at the RCC for his employer's convenience or that he was required to live there as a condition of his employment, it appears that Colonel Edmonson's benefit of living in the RCC was taxable and should have been included in Colonel Edmonson's Form W-2.

Recommendations

DPS should consult with legal counsel to obtain legal authority before allowing a Superintendent and his family to reside in the RCC. We also recommend that DPS develop written policies and procedures regarding the appropriate use of the Residential Conference Center and ensure that all taxable benefits are reported in accordance with the Internal Revenue Code.

Cafeteria Provided Meals without Charge

Colonel Edmonson appears to have received free meals from the DPS Cafeteria (Cafeteria). By receiving free meals from the Cafeteria, Colonel Edmonson may have violated the Louisiana Constitution⁷ and state law.^{8,9,16} Additionally, our audit identified weaknesses in the Cafeteria's billing practice, which may have resulted in donations of meals.

The Cafeteria is located on the DPS compound and operated by DPS civilian employees and trustees. The Cafeteria serves LSP cadets during training and is open to DPS employees and the general public (customers) on weekdays for breakfast and lunch. Customers go through the food line to select food items and pay at the cash register. The Cafeteria also provides catering services to DPS and the general public; customers place catering orders with the Cafeteria Manager by phone, email, or in person.

Cafeteria Provided Meals to Colonel Edmonson without Charge

We spoke with several DPS and LSP employees who told us Colonel Edmonson frequently entered the Cafeteria, sat down at his usual table, and was served meals without waiting in the line or paying at the cash register. Colonel Edmonson told us that it is possible that, during his tenure as Colonel, he inadvertently may have walked out of the Cafeteria without paying for his coffee; however, he said he paid for his meals, and that his meals were often paid for by other people. The Cafeteria Manager estimated that Colonel Edmonson did not pay for his meals at least 50% of the time. She further stated that Colonel Edmonson had inmates deliver food to his house for which he did not pay.

Insufficient Billing Practices

When the DPS Cafeteria fills an order for group meals, the Cafeteria Manager generates an invoice for these services and retains a duplicate copy for her records. The duplicate copy typically is sent to DPS's Office of Management and Finance (OMF) for collection; however, in some cases, the Cafeteria Manager sends the bill directly to the customer for them to pay at the Cafeteria cash register. Once the payment on an outstanding invoice is received at the cash register, customers are provided a receipt, and a copy of that receipt is attached to the Cafeteria Manager's records. The Cafeteria Manager does not maintain a list of outstanding invoices; however, she does keep unpaid invoices in a stack on her desk.

During our review of Cafeteria records, we found several invoices that were not forwarded to OMF, indicating that those invoices should have been collected at the Cafeteria cash register. However, no receipts of payment were attached to the invoices, suggesting that the invoices remained unpaid. For example, we found three invoices to the Louisiana State Troopers Association (LSTA), totaling \$432, dated between October 30, 2015 and May 26, 2016. Records and statements from DPS employees indicate that these invoices were not sent to OMF, indicating that they should have been collected at the Cafeteria's cash register. However, proof of payment was not attached to these invoices, and we were unable to determine if payment had

been collected. We requested information from LSTA to determine if they paid for the meals in question, but they did not respond to our request.

Conclusion

Colonel Edmonson appears to have received free meals from the Cafeteria. By not paying for his meals at the Cafeteria, Colonel Edmonson may have violated the Louisiana Constitution⁷ and state law.^{8,9,16} Additionally, our audit identified weaknesses in the Cafeteria's billing practices, which may have resulted in a donation of meals.

Recommendations

DPS management should implement detailed policies and procedures regarding the Cafeteria's operations. These policies should require:

- (1) DPS Cafeteria employees to charge every customer;
- (2) the Cafeteria Manager to maintain a list of all outstanding invoices for meals;
- (3) all invoices be sent to OMF for billing; and
- (4) a reconciliation of the Cafeteria Manager's list of outstanding invoices to OMF's list of outstanding invoices on a monthly basis and immediately investigate any differences.

Improper Special Meal Expenditures

DPS records show that Colonel Edmonson applied for and obtained a DPS credit card that he used to purchase special meals without approval from the Division of Administration. In addition, we found a majority of these special meals were not sufficiently documented to show their business purpose. By expending public funds on special meals without authorization and sufficient documentation of their business purpose, Colonel Edmonson may have violated state policy.^{17,18,19}

State policy^{17,18} prohibits the use of public funds to purchase special meals unless the Department head is approved in advance by the Commissioner of Administration. DPS received an approval from the Commissioner in 2008, but did not renew the approval from 2009 to 2017. DPS records show that Colonel Edmonson applied for and received a credit card from Chase Bank in DPS' name to pay for special meals. From February 18, 2009 to March 1, 2017, Colonel Edmonson spent \$6,926 for 75 special meals using the Chase Business Card. Additionally, state policy requires an itemized receipt for all special meals and that attendees' names be recorded. However, we found that itemized receipts were missing for 34 of the 75 (45%) special meals charged to Colonel Edmonson's Chase Business Card. Those records also show that for 72 of the 75 (96%) meals, attendees' names were not recorded. By expending

funds on special meals without proper approval and sufficient documentation of the meals' business purpose, Colonel Edmonson may have violated state policy.^{17,18,19}

Recommendations

We recommend that DPS management comply with state policy by obtaining prior approval from the Division of Administration each year before using public funds to purchase special meals. We further recommend that DPS implement policies and procedures to ensure that special meal expenditures include a list of attendees and an itemized receipt.

Fleet Operations Performed Services on Private Vehicles

DPS records and statements from Fleet Operations personnel indicate that Fleet Operations performed minor repairs, washing, and detailing services on Colonel Edmonson's family members' vehicles at his direction. Although private vehicles cannot be tracked in LSP's computerized fleet management system, one employee provided us with a calendar he used to document the dates that services were performed on Colonel Edmonson's family members' vehicles from May 2016 to December 2016. In addition, it appears that Fleet Operations washed private vehicles for other LSP personnel. By using public assets to perform services on private vehicles, Fleet Operations and LSP management may have violated the Louisiana Constitution.⁷ Further, by directing Fleet Operations personnel to perform work on his family members' vehicles, Colonel Edmonson may have violated state law.^{8,9,10,11,12,16}

DPS Fleet Operations (Fleet Operations) manages a fleet of more than 2,400 state vehicles through a main garage on the DPS compound in Baton Rouge and at nine satellite garages across the state. Fleet Operations personnel (which includes DPS employees and trustees) order new vehicles, install additional equipment, and perform repairs and routine maintenance. The Louisiana Administrative Code²⁰ and state law²¹ require that the state's Fleet Management Program include only those vehicles owned or leased by the state. According to Fleet Operations personnel, all services performed at Fleet Operations are to be recorded into DPS's computerized system under the vehicle's state property number.

Services Performed on Colonel Edmonson's Family Members' Vehicles

Several Fleet Operations personnel told us that Colonel Edmonson instructed them to perform services on his family members' vehicles, including minor repairs and washing and detailing. One employee stated that Colonel Edmonson began by bringing his wife's vehicle to Fleet Operations to have it washed and detailed. This employee stated that the practice evolved into Fleet Operations personnel picking up a vehicle from Colonel Edmonson's residence on the DPS compound, taking the vehicle to Fleet Operations, washing and/or detailing the vehicle, and retuning the vehicle to Colonel Edmonson's residence. We spoke to a Fleet Operations' supervisor who confirmed picking up private vehicles from Colonel Edmonson's residence and performing services on the vehicles at Fleet Operations during working hours.

Fleet Operations personnel stated that the computerized fleet management system does not allow work orders to be issued for vehicles that do not have a state vehicle identification number; therefore, the fleet management system does not have documentation to support work performed on privately-owned vehicles. However, an employee provided us with a calendar that he kept to document instances in which services were performed on Colonel Edmonson's family members' vehicles from May 2016 to December 2016. This calendar listed 19 instances in which Fleet Operations provided services for six different vehicles, ranging from detailing vehicles to body work. The employee stated that these services began long before he started a calendar, and that it was normal for Fleet Operations to clean Colonel Edmonson's wife's vehicle two to three times per month and to clean all three of his children's vehicles once per month.

In addition to regularly providing washing and detailing services, Fleet Operations personnel described services Fleet Operations performed on Colonel Edmonson's family members' vehicles at Colonel Edmonson's request. These services included the following:

- Picking up new tires at a local tire store, bringing them back to Fleet Operations, and replacing the tires on Colonel Edmonson's wife's vehicle;
- Changing the top on Colonel Edmonson's son's Jeep. Three Fleet Operations' employees told us that Fleet Operations changed the tops on Colonel Edmonson's son's Jeep, which has a hard top for the winter and a soft top for the summer;
- Replacing mirrors on Colonel Edmonson's daughter's vehicle on more than one occasion. Multiple employees told us that Colonel Edmonson paid for the mirrors but had Fleet Operations install them. In addition, Fleet Operations personnel told us that Colonel Edmonson's daughter's vehicle was brought to the body shop on multiple occasions in order to buff out nicks and scratches; and
- Performing an alignment on Colonel Edmonson's mother-in-law's vehicle.

Colonel Edmonson stated that he lived on the compound and did not see anything wrong with having his wife's car washed. He further indicated that he occasionally went down to Fleet Operations and washed it himself. He also said that he went down to Fleet Operations and assisted in changing the top on his son's Jeep. Colonel Edmonson stated that no one complained to him about performing these services for him and his family.

Services Performed for Fleet Operations Employees

In addition to performing services on Colonel Edmonson's family members' vehicles, Fleet Operations personnel stated that Fleet Operations also performed personal work for Fleet Operations' supervisory troopers. These employees told us that Lt. John Cannon and Sgt. Mark Whitmore both had their private vehicles washed at Fleet Operations. One employee told us that Lieutenant Cannon brought several items to Fleet Operations for repair, including a BBQ pit, a four-wheeler, a generator, and lawnmowers. Lieutenant Cannon and Sergeant Whitmore both stated that they had their private vehicles washed by Fleet Operations a maximum of three times. Lieutenant Cannon stated that he did not have personal items repaired at Fleet Operations but

acknowledged that he purchased a hobby craft BBQ pit from one of the inmates and later brought the BBQ pit to Fleet Operations to have it repaired.

Conclusion

DPS records and statements from Fleet Operations personnel indicate that Fleet Operations performed minor repairs and washing and detailing services on Colonel Edmonson's family members' vehicles at his direction. In addition, it appears that Fleet Operations washed private vehicles for other LSP personnel. By using public assets to perform services on private vehicles, Fleet Operations and LSP management may have violated the Louisiana Constitution.⁷ Further, by directing Fleet Operations personnel to perform work on his family members' vehicles, Colonel Edmonson may have violated state law.^{8,9,10,11,12,16}

Recommendations

We recommend that management implement policies and procedures that expressly prohibit the use of public assets for the benefit of private purposes. These policies and procedures should require work orders be issued through the computerized fleet management system for all work to be performed. We further recommend that all work orders be approved by an appropriate supervisor and include the public purpose for all services performed.

LSP Personnel Received Dry Cleaning Allowance and Free Dry Cleaning from the Governor's Mansion

Colonel Edmonson and troopers assigned to the Governor's Mansion (Mansion) improperly used the Mansion's dry cleaning service to clean their uniforms and other clothing for free while also receiving a daily allowance from LSP to clean their uniforms. By receiving free dry cleaning services and simultaneously receiving a dry cleaning allowance, Colonel Edmonson and the other troopers may have violated state law.^{8,9,16}

LSP troopers provide security and supervise the trustees who perform services at the Mansion. According to LSP policy,²² troopers were granted a standard dry cleaning allowance (currently \$8.00 per day for each day they are required to work). To receive the allowance, troopers record the days they work on their time sheet and note the dry cleaning allowance on their time sheets.

According to the LSP Captain supervising troopers assigned to the Mansion, the Mansion's dry cleaning equipment is operated by trustees to clean the Governor's and his family's clothes. There are no written policies and procedures regarding use of the Mansion's dry cleaning services. We were told that Colonel Edmonson and troopers assigned to the Mansion regularly had their LSP uniforms, and in some cases civilian clothing, dry cleaned at the Mansion free of charge. In addition to receiving free dry cleaning services at the Mansion, we found that Colonel Edmonson and troopers assigned to the Mansion also received dry cleaning allowances.

Colonel Edmonson

The LSP Captain supervising troopers assigned to the Mansion told us that Colonel Edmonson had his and his wife's clothes dry cleaned at the Mansion weekly. He stated that Colonel Edmonson occasionally brought the clothes to the Mansion, but typically other troopers transported the Colonel's clothes to and from the Mansion during work hours. We spoke with two troopers who acknowledged bringing Colonel Edmonson's and his wife's clothes to the Mansion weekly for dry cleaning. One of the troopers acknowledged that he occasionally included his clothes for dry cleaning at the Mansion when he transported Colonel Edmonson's and his wife's clothes. LSP records indicate that Colonel Edmonson received dry cleaning allowances totaling \$6,344 from January 1, 2014 to March 26, 2017.

Colonel Edmonson said that there were times when LSP employees dropped off and picked up his dry cleaning from the Mansion. He also said that he had some of his clothes dry cleaned by local businesses, and that former LSP Colonels have historically had their clothes dry cleaned at the Mansion. However, the LSP Captain who supervises troopers at the Mansion stated that he has worked at the Mansion for more than 26 years and no LSP Superintendent other than Colonel Edmonson has had his clothes cleaned at the Mansion. He also said that he did not see a problem with Colonel Edmonson having his clothes cleaned at the Mansion but stated that he felt it was improper for Colonel Edmonson's family's clothes to be cleaned there. The LSP Captain further indicated that because Colonel Edmonson was the Colonel and his direct supervisor, he did not feel that he was in a position to question Colonel Edmonson's actions.

Troopers Assigned to the Mansion

LSP records indicate that troopers assigned to the Mansion received dry cleaning allowances from January 1, 2014 to March 26, 2017. Because neither LSP nor the Mansion maintains records detailing the use of the Mansion's dry cleaning services, we could not determine how many troopers received dry cleaning services during this period. However, statements from LSP employees indicate that, during this same period, troopers assigned to the Mansion were allowed to use the Mansion's dry cleaning services to clean their work clothes (e.g., uniforms, suits, and plain clothes that are worn while on duty). The LSP Captain that supervises troopers assigned to the Mansion indicated that when those troopers were transferred to the Mansion, they were told that cleaning services were one of the benefits of the job. As a result, he believes the troopers were in good faith and did not do anything wrong intentionally.

Conclusion

Based on statements from multiple LSP employees and LSP payroll records, it appears that Colonel Edmonson and other troopers may have violated state law^{8,9,16} by receiving free dry cleaning services from the Mansion while also receiving a dry cleaning allowance from LSP.

Recommendations

We recommend that management implement detailed policies and procedures for the use of the Mansion's dry cleaning services. These policies and procedures should prohibit LSP employees from utilizing dry cleaning services for uniforms if that trooper is receiving a dry cleaning allowance.

Private Use of LSP Training Facilities

LSP improperly allowed its training facilities to be used by certain DPS employees at no charge and without a public purpose. DPS records indicate that several members of LSP management and the current Commissioner of the Office of Motor Vehicles (OMV) were provided private dormitory rooms at the LSP Training Academy (Training Academy) for private use. By allowing certain employees to use LSP training facilities for private purposes at no charge, DPS and LSP management may have violated the Louisiana Constitution⁷ and state law.^{8,9}

The Training Academy is located on the LSP compound to provide basic training for LSP cadets and continuing training for troopers. The Training Academy also provides continuing education and training for other law enforcement agencies, as well as non-commissioned DPS personnel. State law²³ regulates the operation of LSP training facilities and the fees charged for their use. State law²⁴ provides that, "The department shall make the training facilities available to any local government unit within this state by conducting schools at convenient centers for the training of police officers." Although the primary purpose of the Training Academy is to provide training to LSP cadets and troopers, state law allows LSP to rent its training facilities and charge reasonable fees for the use of its training facilities. The Louisiana Administrative Code²⁵ sets out the maximum rates that can be charged for the use of particular training school facilities.

DPS has no written policies and procedures regarding use of its training facilities by private individuals and organizations. Training Academy facilities such as dormitory rooms, VIP dormitory rooms, classrooms, and the LSP auditorium are booked in a manner similar to hotels. Groups interested in using Training Academy facilities contact Training Academy personnel directly, and reservations are entered into the Training Academy's occupancy tracking system. The occupancy tracking system creates an invoice based on the user fees set forth in the Louisiana Administrative Code.²⁵ The invoice is then sent to the individual or organization that booked the facility.

LSP Personnel

Training Academy records and statements from Training Academy employees indicate that certain LSP employees domiciled in Baton Rouge were allowed exclusive access to their own rooms for extended periods of time at no charge. Training Academy records indicate that these employees had access to Training Academy rooms for a combined total of at least 3,395 days. Since these rooms were unable to be rented, DPS may have incurred a loss of revenue.

Prior to being appointed as Colonel Edmonson's Chief of Staff and Lieutenant Colonel, Major Charles Dupuy was responsible for LSP's Support Services, which encompassed the Training Academy. According to the Training Academy's Guest History Report, Major Dupuy had access to a VIP room from July 1, 2016 to July 1, 2017. Additionally, Training Academy personnel provided us with their estimate that Major Dupuy had access to another room from April 29, 2012, until he moved into the VIP room. Major Dupuy told us that he stayed at the Training Academy while going through a divorce.

Training Academy Records show that Lt. Col. Jason Starnes had exclusive access to a Training Academy room beginning on May 27, 2015. During an interview, Lieutenant Colonel Starnes acknowledged that he used the room during this period without payment and stated that he moved out of the room as a result of the August 2016 Flood. Lieutenant Colonel Starnes told us that he used the room to shower and change clothes instead of using the gymnasium, where troopers and cadets normally shower. Lieutenant Colonel Starnes indicated that there was little to no additional cost to the state if employees use these rooms.

According to Training Academy records, Training Academy Capt. Derrell Williams also had exclusive access to Training Academy rooms from March 7, 2013 to April 7, 2017. During an interview, Captain Williams confirmed that he has used Training Academy rooms free of charge off and on for several years after receiving verbal approval from Colonel Edmonson. Captain Williams explained that he used Training Academy rooms during the work week when he became too tired to travel to his home in Thibodaux and normally used regular dormitory rooms, but moved into VIP level rooms when he worked legislative sessions.

As a result, Major Dupuy, Lieutenant Colonel Starnes and Captain Williams received a benefit equal to the value of their rooms, which were not reported as a taxable benefit on their W-2 forms.

OMV Commissioner

Karen St. Germain was appointed Commissioner of the OMV on January 8, 2016, and appears to have had personal use of a Training Academy VIP room from the date of her appointment to August 2017. Training Academy records further indicate that Ms. St. Germain was never charged the \$44 per night rate as set forth in the Louisiana Administrative Code. The Training Academy's Administrative Assistant told us she was instructed to provide Ms. St. Germain with a room for an indefinite period of time by the Captain of the Training Academy. The Captain of the Training Academy stated that he was told to provide a room to Ms. St. Germain at the Training Academy during a meeting with Colonel Edmonson and former DPS general counsel.

Colonel Edmonson confirmed that he authorized a VIP room for Ms. St. Germain when she became OMV Commissioner in January 2016. LSP's Executive Staff Officer recalled that Colonel Edmonson directed her to call the Training Academy to confirm that Ms. St. Germain was authorized to stay there on a "temporary" basis. According to her, Ms. St. Germain asked Colonel Edmonson to stay at the Training Academy until she was "situated" in her new position in Baton Rouge.

During an interview with Ms. St. Germain, she stated that she thinks she received approval to stay in a room at the Training Academy during an informal breakfast meeting with Colonel Edmonson and former DPS general counsel. Ms. St. Germain confirmed that she has never paid for use of the room and told us that she was not aware that the Training Academy charged fees for the use of its facilities. Ms. St. Germain stated that she lives in Assumption Parish and only uses the room occasionally during the legislative session. Ms. St. Germain also told us that the last time she used the room was on June 16, 2017, and that she was not currently staying in the room. However, our review indicated that Ms. St. Germain had sole access to the room from January 8, 2016 to August 24, 2017. As a result, Ms. St. Germain received a benefit equal to the value of the room, which was not reported as a taxable benefit on her Form W-2.

In her response to this report, Ms. St. Germain states that she used the VIP room “on an infrequent and irregular basis” and “never had an expectation of exclusive use” of the VIP room. However, when we inspected the room on June 28, 2017, and again on August 16, 2017, the room appeared to be “lived in,” as evidenced by a small refrigerator containing food items, empty fast food containers on the table, cosmetics on the bathroom counter, and a closet full of Ms. St. Germain’s clothes.

Ms. St. Germain further stated in her response that State Travel Regulations entitled her “to stay at a hotel at a rate of \$98 per night” and “claim meal reimbursement at a rate of \$51 per day.” However, both Division of Administration and DPS accounting records show Ms. St. Germain’s work domicile to be East Baton Rouge Parish. According to DOA’s Assistant Director of State Travel, the Louisiana State Travel Guide does not allow a state employee whose work domicile is East Baton Rouge Parish to claim lodging or meal reimbursement while in East Baton Rouge Parish.

Conclusion

LSP improperly provided access and use of its training facilities to certain employees for private use at no charge, which may have violated the Louisiana Constitution,⁷ which prohibits the donation of public assets, and state law.^{8,9}

Recommendations

We recommend that DPS discontinue the practice of allowing individuals access to its facilities at no charge. DPS should implement written policies regarding the appropriate use of its facilities.

EXHIBITS

Exhibit 1 – Lt. Rodney Hyatt's Cost-Effective Analysis for Driving

- Driving
 - According to Bing Maps there were three routes to choose from
 - Northern route along I40 was 1859 miles
 - North/South route along I20 was 1825 miles
 - Southern route along I10 was 1777 miles
 - The route that was taken was 2080 miles
 - The difference in the most optimal route and the route that was taken was 303 miles. The difference in the northern route and the route taken was 221 miles
 - A Northern route was chosen going westbound and the Southern route was taken going eastbound due to numerous construction sites and major cities that would be traveled through during rush hour.
 - Moreover, two different routes were chosen to break up the monotony of traveling such long distances
 - The total costs to drive were \$7,780.53
 - Fuel \$610.98
 - Lodging \$2,745.42 which equates to \$137.27 including taxes per person per hotel stay.
 - Meals \$1,032
 - Overtime \$3,392.13
- Flying
 - The total costs to fly were \$8,092.73
 - Flights \$2112
 - Bags \$200
 - Parking Airport \$384
 - Parking Hotel \$376
 - Rental Car \$481.18
 - Fuel \$63.47
 - Lodging \$2,695.84 (in accordance with the conference rate)
 - Meals \$488
 - Overtime \$1,292.24

Exhibit 2 – Text Messages from Lt. Rodney Hyatt's Wife

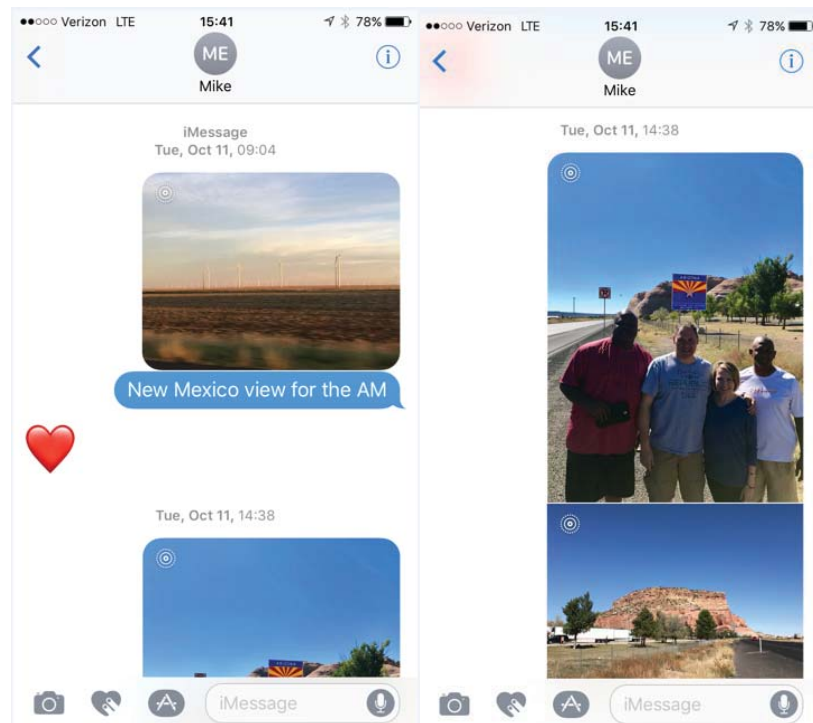
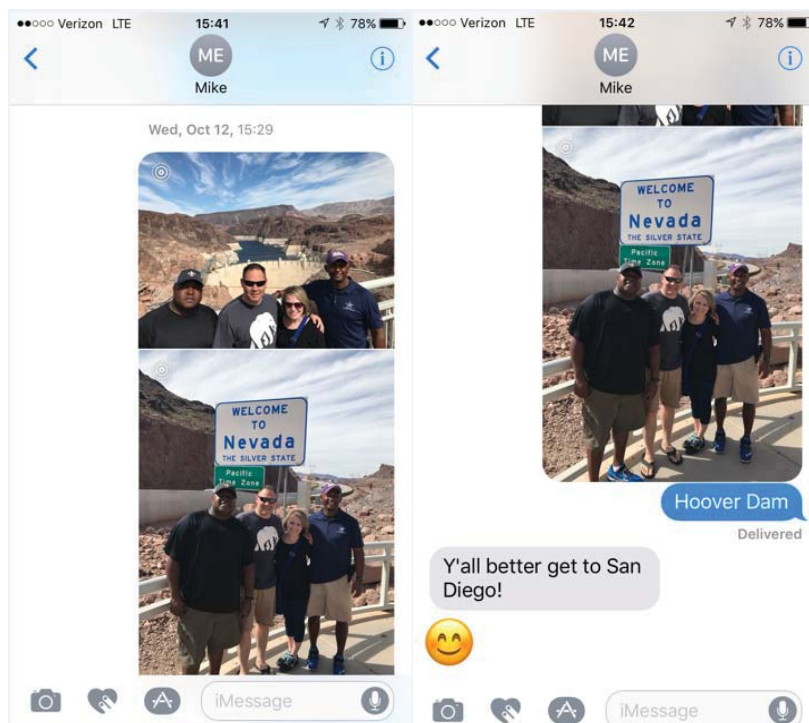


Exhibit 2 – Text Messages from Lt. Rodney Hyatt’s Wife (continued)



**Exhibit 3 – Colonel Edmonson's 2014 Hotel Mazarin Invoice
(Reimbursed to Colonel Edmonson by LSP)**



Col. Mike Edmonson
LA State Trooper

US

Room No. : 239
Arrival : 02-28-14
Departure : 03-03-14
Folio No. : 37997
Conf. No. : 62171834
Cashier : 1929

Date	Description	Charges	Credits
02-28-14	Room Charge	151.00	
02-28-14	Room Tax Sales - City Tax 6%	9.06	
02-28-14	Room Tax Occupancy - State Tax 7%	10.57	
02-28-14	Room Occupancy Fee - \$1/nt	1.00	
03-01-14	Room Charge	151.00	
03-01-14	Room Tax Sales - City Tax 6%	9.06	
03-01-14	Room Tax Occupancy - State Tax 7%	10.57	
03-01-14	Room Occupancy Fee - \$1/nt	1.00	
03-02-14	Room Charge	151.00	
03-02-14	Room Tax Sales - City Tax 6%	9.06	
03-02-14	Room Tax Occupancy - State Tax 7%	10.57	
03-02-14	Room Occupancy Fee - \$1/nt	1.00	
03-03-14	American Express XXXXXXXXXX XX/XX		514.89
Total Charges		514.89	
Total Credits			514.89
Balance			0.00
			USD

Signature: _____

730 Bienville Street
New Orleans, Louisiana 70130
Phone (504)581-7300 Fax - (504)200-3112

**Exhibit 4 – Colonel Edmonson’s 2014 Roosevelt Hotel Invoice
(Paid by City of New Orleans)**



THE ROOSEVELT NEW ORLEANS
123 Baronne Street | New Orleans, LA | 70112
T: 504-648-1200 | F: 504-585-1295
W: tharooseveltneworleans.com

EDMONSON, MICHAEL

Room: 20951/K1RRU1
Arrival Date: 2/28/2014 9:50:00AM
Departure Date: 3/5/2014 1:02:00PM R
Adult/Child: 1/0
Room Rate:

RATE PLAN L-DIE

HH# 258121733 DIAMOND

AL: DL #2012825309

BONUS AL: CAR:

CONFIRMATION NUMBER : 3117760848

3/12/2014 PAGE 1

DATE	DESCRIPTION	ID	REF. NO	CHARGES	CREDITS	BALANCE
2/28/2014	GUEST ROOM EXEMPT	TSIMEON	2585213	\$60.00		
2/28/2014	RM - OCCUPANCY TAX	TSIMEON	2585213	\$2.00		
3/1/2014	GUEST ROOM EXEMPT	DGOODLY	2588883	\$60.00		
3/1/2014	RM - OCCUPANCY TAX	DGOODLY	2588883	\$2.00		
3/2/2014	GUEST ROOM EXEMPT	TEEBUI	2591794	\$60.00		
3/2/2014	RM - OCCUPANCY TAX	TEEBUI	2591794	\$2.00		
3/3/2014	GUEST ROOM EXEMPT	DGOODLY	2594786	\$60.00		
3/3/2014	RM - OCCUPANCY TAX	DGOODLY	2594786	\$2.00		
3/4/2014	GUEST ROOM EXEMPT	TSIMEON	2597778	\$60.00		
3/4/2014	RM - OCCUPANCY TAX	TSIMEON	2597778	\$2.00		
3/5/2014	DIRECT BILL	SCLARK08	2598688		\$310.00	
	BALANCE					\$0.00

ACCOUNT NO.

DATE OF CHARGE

Folio No./CHECK NO.

346301 B

CARD MEMBER NAME

AUTHORIZATION

INITIAL

ESTABLISHMENT NO. & LOCATION

ESTABLISHMENT ADDRESSES TO TRAVELER TO CARD HOLDER FOR PAYMENT

PURCHASES & SERVICES

THANK YOU FOR STAYING AT THE ROOSEVELT, A WALDORF
ASTORIA HOTEL.

TAXES

TIPS & MISC.

CARD MEMBER'S SIGNATURE

TOTAL AMOUNT

MERCHANDISE AND/OR SERVICES PURCHASED ON THIS CARD SHALL NOT BE RESOLD OR RETURNED FOR A CASH REFUND.

PAYMENT DUE UPON RECEIPT

LEGAL PROVISIONS

¹ **The Louisiana Travel Guide (PPM 49) S1503(A), codified at LAC 4:V. Chapter 15**, states, in part, that “Department Heads may establish travel regulations within their respective agencies, but such regulations shall not exceed the maximum limitations established by the Commissioner of Administration. Three copies of such regulations shall be submitted for prior review and approval by the Commissioner of Administration. One of the copies shall highlight any exceptions/deviations to PPM 49.”

² **PPM 49 S1504 (A)** states, in part, that “the most cost-effective method of transportation that will accomplish the purpose of the travel shall be selected. Among the factors to be considered should be length of travel time, employee’s salary, cost of operation of a vehicle, cost and availability of common carrier services, etc. Common carrier shall be used for out-of-state travel unless it is documented that utilization of another method of travel is more cost efficient or practical and approved in accordance with these regulations.”

³ **PPM 49 S1504 (C) (1)(b)** states, in part, that “state-owned vehicles may be used for out-of-state travel only if permission of the department head has been given prior to departure. If a state-owned vehicle is to be used to travel to a destination more than 500 miles from its usual location, documentation that this is the most cost-effective means of travel should be readily available in the department’s travel reimbursement files.”

⁴ **PPM 49 S1502 (A)** states, in part, that “the most direct traveled route must be used by official state travelers.”

⁵ **PPM 49 S1506 (C) (5)** states, in part, that “employees may be allowed lodging rates, plus tax (other than State of Louisiana tax) and any mandatory surcharge. (Receipts are required) Department Head or his/her designee has the authority to approve the actual cost of conference lodging, for a single occupancy, standard room, when the traveler is staying at the designated conference hotel. If there are multiple designated conference hotels, the lower cost designated conference hotel should be utilized, if available. In the event the designated conference hotel(s) have no room availability, a Department Head or his/her designee may approve to pay actual hotel cost not to exceed the conference lodging rates for other hotels in the immediate vicinity of the conference hotel. This allowance does not include Agency Hosted Conference Lodging Allowances; (see section 1510) for these allowances. In the event a traveler chooses to stay at a hotel which is not associated with the conference, then the traveler is subject to making reservation and getting reimbursed within the hotel rates that will be allowed in routine lodging only.”

⁶ **PPM 49 S1504 (C)** states, in part, that “no person may be authorized to operate or travel in a state owned or rental vehicle unless that person is a classified or unclassified employee of the State of Louisiana; any duly appointed member of a state board, commission, or advisory council; or any other person who has received specific approval, and is deemed as an authorized traveler, on behalf of the State, from the Department Head or his designee to operate or travel in a fleet vehicle on official state business. A file must be kept containing all of these approvals. Any persons who are not official state employees must sign an Acknowledgement of Non-State Employees Utilizing State Vehicles form, located at the Office of State Travel’s website, prior to riding in or driving a state-owned vehicle or rental vehicle on behalf of the State. Each agency is responsible for ensuring that this along with any other necessary documents and requirements are completed and made part of the travel file prior to travel dates.”

⁷ **Louisiana Constitution Article VII, Section 14(A)** states, in part, “Prohibited Uses. Except as otherwise provided by this constitution, the funds, credit, property, or things of value of the state or of any political subdivision shall not be loaned, pledged, or donated to or for any person, association, or corporation, public or private.”

⁸ **Louisiana Revised Statute (La. R.S.) 14:134 (A)** states, “Malfeasance in office is committed when any public officer or public employee shall: (1) intentionally refuse or fail to perform any duty lawfully required of him, as such officer or employee; (2) intentionally perform any such duty in an unlawful manner; or (3) knowingly permit any other public officer or public employee, under his authority, to intentionally refuse or fail to perform any duty lawfully required of him or to perform any such duty in an unlawful manner.”

⁹ **La. R.S. 42:1461(A)** states, “Officials, whether elected or appointed and whether compensated or not, and employees of any “public entity,” which, for purposes of this section shall mean and include any department, division, office, board, agency, commission, or other organizational unit of any of the three branches of state government or of any parish, municipality, school board or district, court of limited jurisdiction, or any other political subdivision or district, or the office of any sheriff, district attorney, coroner, or clerk of court, by the act of accepting such office or employment assume a personal obligation not to misappropriate, misapply, convert, misuse, or otherwise wrongfully take any funds, property or other thing of value belonging to or under the custody or control of the public entity in which they hold office or are employed.”

¹⁰ **La. R.S. 14:68(A)** provides that “Unauthorized use of a movable is the intentional taking or use of a movable which belongs to another, either without the other's consent, or by means of fraudulent conduct, practices, or representations, but without any intention to deprive the other of the movable permanently. The fact that the movable so taken or used may be classified as an immovable, according to the law pertaining to civil matters, is immaterial.”

¹¹ **La. R.S. 14:134.3(A)** provides, in part, that “no public officer or public employee shall knowingly and intentionally use the authority of his office or position, directly or indirectly, to compel or coerce any person to provide the public officer, public employee or any other person with anything of apparent present or prospective value...”

¹² **La. R.S. 42:1116** provides, in part, that “no public servant shall use the authority of his office or position, directly or indirectly, in a manner intended to compel or coerce any person or other public servant to provide himself, any other public servant, or other person with any thing of economic value...”

¹³ **La. R.S. 42:1115(A)** provides that “No public servant shall solicit or accept, directly or indirectly, any thing of economic value as a gift or gratuity from any person or from any officer, director, agent, or employee of such person, if such public servant knows or reasonably should know that such person: (1) Has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency, or (2) Is seeking, for compensation, to influence the passage or defeat of legislation by the public servant's agency.”

¹⁴ **Louisiana Attorney General Opinion 14-0112**, provides, in part, that “in order for an expenditure or transfer of public funds to be permissible under Art. VII, Sec. 14(A), the public entity must have the legal authority to make the expenditure and must show: (i) a public purpose for the expenditure or transfer that comports with the governmental purpose for which the public entity has legal authority to pursue; (ii) that the expenditure or transfer, taken as a whole, does not appear to be gratuitous; and (iii) that the public entity has a demonstrable, objective, and reasonable expectation of receiving at least equivalent value in exchange for the expenditure or transfer of public funds.”

¹⁵ **La. R.S. 49:208** states, “The governor shall be entitled to the use and occupancy of the governor's mansion as his official place of residence during his term of office; however, it shall be his duty to vacate the mansion one week prior to the end of his term and the governor-elect shall be entitled to the use and occupancy of the governor's mansion during that time together with the services of the personnel regularly employed therein. Responsibility for the mansion property and the administration of the provisions of this Section shall be vested in the legislative auditor during the week preceding the inauguration of the governor.”

¹⁶ **La. R.S. 14:67(A)** states, “Theft is the misappropriation or taking of anything of value which belongs to another, either without the consent of the other to the misappropriation or taking, or by means of fraudulent conduct, practices, or representations. An intent to deprive the other permanently of whatever may be the subject of the misappropriation or taking is essential.”

¹⁷ **PPM 49 S1509 (B)** states, in part, that “all special meals must have prior approval from the Commissioner of Administration or, for Higher Education, the Entity Head or his/her designee in order to be reimbursed, unless specific authority for approval has been delegated to a Department Head for a period not to exceed one fiscal year.”

¹⁸ **PPM 49 S1509 (D)** states, in part, that , “in such cases, the department will report on a quarterly basis to the Commissioner of Administration all special meal reimbursements made during the previous three months... These reports must include, for each special meal, the name and title of the person receiving reimbursement, the name and title of each recipient, the cost of each meal and an explanation as to why the meal was in the best interest of the state. Renewal of such delegation will depend upon a review of all special meals authorized and paid during the period.”

¹⁹ **PPM 49 S1509 (A)**, (page 28) states, “Reimbursement designed for those occasions when, as a matter of extraordinary courtesy or necessity, it is appropriate and in the best interest of the state to use public funds for provision of a meal to a person who is not otherwise eligible for such reimbursement and where reimbursement is not available from another source. Requests should be within reason and may include tax and tips. Itemized receipts are required.”

²⁰ **Louisiana Administrative Code Title 34, Part XI Section 101 (C) (2)** (page 115), states, in part, that “to be included in the Fleet Management Program, vehicles or aircraft must be owned by the state or under lease by a state agency.”

²¹ **La. R.S. 39:361 (C) (1)** states, in part, that “the scope of the fleet management program and associated statewide policies, specifications, and standards shall include and be limited to: All vehicles which are owned or leased by any agency, board, commission, council, department, or other entity of the executive branch of state government; every vehicle owned and leased by any state college or university; and every vehicle owned or leased by the offices and entities of the judicial and legislative branches of government.”

²² **Louisiana State Police policy** (page 78) As an “Other Reimbursable Expense,” LSP Troopers are granted a standard/dry-cleaning allowance of \$8.00 each day that they are required to work regardless of the hours actually worked.”

²³ **La. R.S. 40:1375 (F)(1)** states, “Pursuant to the Administrative Procedure Act, the department may promulgate rules and regulations to charge reasonable fees for participation in its training school and courses and for the use of its training facilities.”

²⁴ **La. R.S. 40:1375 (E)** states, “The department shall make the training facilities available to any local government unit within this state by conducting schools at convenient centers for the training of police officers.”

²⁵ **Louisiana Administrative Code Title 55, Part I, Section 301 (A)** sets forth the user fees for the Louisiana State Police Facility: Academy Dorm Room Single Occupancy \$33 per day; VIP Dorm Room Single Occupancy \$44 per day; Conference Center Lodge Rooms Single Occupancy \$70 per day; Conference Center VIP Lodge Rooms Single Occupancy \$100 per day; Small Flat Classroom Seating for 25-40 people \$165 per day.

APPENDIX A

Management's Response



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

December 12, 2017
HQ-1-080

Daryl G. Purpera, CPA, CFE
Louisiana Legislative Auditor
Post Office Box 94397
Baton Rouge, Louisiana 70804-9397

VIA HAND DELIVERY

RE: November 28, 2017 draft investigative audit report of Louisiana Department of Public Safety and Corrections- Public Safety Services- Office of State Police

Mr. Purpera:

On November 28, 2017, your office provided me a copy of the draft investigative audit report referenced above. This letter is submitted in response on behalf of the Louisiana Department of Public Safety and Corrections - Public Safety Services - Office of State Police (LSP).

As I have said from the day of my appointment as Superintendent, we welcome ideas and recommendations that assist us in being effective and efficient in providing the best public safety product to the citizens we serve. I appreciate the time and effort you and your staff expended during the course of this audit. For many of the recommendations listed in the report, State Police has already implemented appropriate changes to policies and procedures. We are thankful for the cooperation from your team and the opportunity to make necessary changes as issues were identified, rather than wait for the final audit findings. Additionally, we have been able to determine that in many instances, we have adequate policies in place and the expectation of this administration is compliance to those policies by our employees regardless of position or rank.

In response to the specific recommendations of the audit, LSP represents the following:

Improper Travel: LSP concurs with the recommendations made by the audit team and has implemented changes to its travel policy. Specifically, LSP has clarified in policy that the Division of Administration rules on travel govern LSP travel, directing employees to the Louisiana Travel Guide and including a link to the appropriate rules on travel. Additionally, LSP requires completion of the Travel/Training form and approval by the employee's chain of command prior to incurring any costs associated with travel or training. All DPS Budget Unit Heads are responsible for ensuring that their employees comply with the travel policy. Finally,

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(225) 925-6118

with regard to travel in state owned vehicles, and specifically, home stored vehicles, LSP has directed all employees with home storage privileges to require any non-state employee traveling pursuant to LSP policy in LSP assigned vehicles to execute the DOA waiver of liability form to limit potential liability against the State.

With regard to the particular employees referenced in the findings of the travel portion of the report, LSP conducted an administrative investigation into the same issues with very consistent findings as those of the audit team. Disciplinary action was taken with regard to three of the employees and the fourth employee was counseled about correcting his conduct. Additionally, reimbursements were made by two employees.

Improper Use of Hotel Rooms During Mardi Gras: LSP agrees with the recommendations of the audit team regarding personal use of hotel rooms during Mardi Gras. These rooms are provided by the City of New Orleans for the purpose of housing troopers working the detail. The detail commander will prioritize assignment of rooms to troopers without reference to rank or position and will return unused or unassigned rooms to the participating hotels.

Misuse of LSP Personnel and Assets: LSP concurs with the recommendation of the audit team that public resources are for public, not personal, purposes. Department policies are in place and supervisors will work to enforce the policies.

Colonel Edmonson Family Use of the Residential Conference Center: Directing the Superintendent of the Louisiana State Police to stay on the compound at Headquarters and the use of the Residential Conference Center should be consistent with and limited to public safety purposes. The department will maintain necessary documentation setting out the parameters of the use of the RCC.

Cafeteria Meals Without Charge: LSP concurs with the recommendation of the audit team and has drafted procedures implementing each of the recommendations to ensure that the cafeteria accurately accounts for all expenditures and income.

Improper Meal Expenditures: LSP concurs with the recommendation of the audit team and has reviewed the issuance of the unrestricted credit cards which require approval of the Commissioner of Administration. There are no current DPS personnel who maintain the unrestricted use cards referenced in the audit report.

Fleet Operations Performed Services on Private Vehicles: LSP concurs with the recommendation of the audit team. There are policies already in place which shall be strictly followed by all personnel, regardless of rank or assignment.

December 12, 2017

HQ-1-080

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LSP Personnel Receiving Dry Cleaning Services at Governor's Mansion: LSP concurs with the recommendation of the audit team and has clarified the policy to ensure that troopers assigned to protective services only claim reimbursement for the dry cleaning allowance if they use outside services for their dry cleaning purposes. To the extent they use the dry cleaning services of the Governor's Mansion, they shall not claim the daily dry cleaning allowance.

Private Use of the LSP Training Facilities: LSP concurs with the audit report that the use of the training facilities shall be for public safety purposes. These situations require assignment of certain rooms to public safety personnel. LSP has amended its policy to limit any potential abuse of the dorm rooms.

If you have any questions, please do not hesitate to contact me. With kindest professional regards, I am,

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Reeves", with a stylized flourish at the end.

Colonel Kevin Reeves
Deputy Secretary, Public Safety Services
Superintendent, Louisiana State Police

APPENDIX B

Other Responses

Lt. Col. Charles Dupuy's Response – B.1
Col. Michael Edmonson's Response – B.3
Lt. Rodney Hyatt's Response – B.5
Karen St. Germain's Response – B.30
Lt. Col. Jason Starnes' Response – B.32
Maj. Derrell Williams' Response – B.34

December 8, 2017

Daryl G. Purpera, CPA, CFE
Louisiana Legislative Auditor
Post Office Box 94397
Baton Rouge, Louisiana 70804-9397

Mr. Purpera,

Please accept this letter as my official response to the investigative audit report provided to me by the Louisiana Legislative Auditor's office.

The audit indicates that I was involved in a conversation on October 10, 2016, between Colonel Mike Edmonson and Lt. Rodney Hyatt, where they discussed which route the troopers should take to the IACP Conference in San Diego. Permit me to reiterate, while I was present at the table for the conversation, I was not involved in that conversation, nor did I hear the specifics of what Colonel Edmonson and Lt. Hyatt discussed. I believe Lt. Hyatt when he says that Colonel Edmonson told him to take the northern route, but I did not hear it. My specific direction to the troopers on their intended use of a state vehicle for travel was clear, and that advice was to "stay up and drive straight through without stopping." That is what I told Lt. Hyatt. While I thought I had made this clear to the auditors during my interview, I do not believe that the report accurately reflects the information I provided.

The audit also indicates the troopers who drove to San Diego submitted timesheets that reflected 17-24 hours of on-duty status. I refused to accept those documents and that interpretation of time accrual and accordingly sent the timesheets back to reflect *actual travel and work hours* in conformance with agency and state travel policies.

The audit also states that Colonel Edmonson and I are responsible for approving training and travel for department personnel, but I would also remind the auditors that in accordance with agency policy the appointing authority must approve all out of state travel, as was the case with the San Diego travel applications.

The audit also reflects that the troopers used my assigned vehicle to travel to the conference and while this is correct there are several reasons why that occurred: 1) the protective services section needed the SUV that the troopers were originally scheduled to take; 2) the state police fleet did not have another suitable vehicle for them to take; and 3) Title 34, Government Contracts, Procurement and Property Control, Part XI – Fleet Management clearly states "*that a vehicle approved for home storage shall be made available for official use by other state employees when it would otherwise not be in use by the employee for whom storage is approved.*" Since I was attending the conference and not using my assigned vehicle, it was my decision to permit them use of my vehicle in accordance with Fleet Management policy.

The investigative audit report also indicates that I had exclusive use of a Training Academy dormitory room for approximately four years, and then a VIP room for one year, which caused those rooms to be unavailable for other use resulting in a loss of revenue. I disagree with this interpretation of use and how it is portrayed in the investigative audit report.

While I agree that I used a dorm/VIP room, I used it only to shower in the mornings after working out in the Training Academy's gym instead of using the Department's locker room. Occasionally I would use the restroom in the dorm room. However, at no time during this period, from 2012-2017, did I advise or direct any Training Academy personnel that the room was not available to be rented or otherwise

available for use by any other individual. In fact, it was quite the opposite. I specifically instructed the commanders of the Training Academy that the room was available for their assignment and use at any time. The assertion that DPS somehow lost potential revenue during the times in question is without factual basis. It is simply an incorrect assumption and one not based on any evidence whatsoever. Let's not misunderstand the separate aspects of "access" and "use". Having a key gave me "access" if I chose to do so, but having a key should not suggest that the room was somehow frozen from use. Indeed, if the assumption of use is based on having a key, virtually every member of the Academy staff was similarly in violation of dorm usage because they possessed keys which permitted them access to rooms.

Incidentally, I built my residence in 2008 and had no reason to stay or occupy dormitory space during the five years noted in the audit. As I told the auditors, the only time I stayed overnight in a dormitory room was for a short time in 2007 when I went through my divorce during a time when I was locating another place to live. And in that case I asked for permission to stay and it was granted. I also offered to reimburse the agency and was told that payment would not be necessary. The information of my divorce is haphazardly added at the end of the paragraph in the audit report with no clarification, which I believe will lead readers to misinterpret the facts.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles R. Dupuy", with a long horizontal flourish extending to the right.

Charles R. Dupuy

MIKE EDMONSON

December 13, 2017

By E-Mail and U.S. Mail

dpurpera@lla.la.gov

Mr. Daryl G. Purpera, CPA, CFE

Legislative Auditor

State of Louisiana

P. O. Box 94397

Baton Rouge, LA 70804-9397

Re: Audit Report

Dear Mr. Purpera:

I recently learned that the Office of the Legislative Auditor decided to question some of my decisions and actions while I had the privilege of serving as the head of the Louisiana State Police. I recognize such an undertaking may be part of the responsibilities of your office. As you of all people know, the protocol used by the Office of the Legislative Auditor for decades is to provide the recipient, whether it is an individual, a public board, or another public body, with a confidential draft report to afford the responding party an opportunity to address the statements in the draft report before it is publicly disseminated.

For inexplicable reasons, the confidential draft report regarding me and the Louisiana State Police was leaked to the media and the contents of the draft then was disseminated to media outlets throughout the State – all before I could respond to the various contentions. Realizing the inherent unfairness to me, the residents of our State, as well as respect for the normal procedures, I trust your office has begun an investigation into this improper conduct and will soon report your findings.

Due to the scope of the draft report, I requested (you and I discussed in a previous meeting that I would probably need additional time and you saw no problem in granting such) and you agreed to grant my request to present my response within a determined period. Therefore, I will deliver to you my submission by January 15, 2018; that response will address, among other issues, approval by the Governor's Office for my housing when I was selected to serve as Colonel of the Louisiana State Police in 2008.

Given the publication of large segments of a preliminary commentary, and the apparent breach of normal practices that seems to have disclosed the entirety of the confidential draft report, I am now constrained to notify you that you can release the report and provide your report

Mr. Daryl G. Purpera
Legislative Auditor
December 13, 2017
Page Two

to the Louisiana Senate this week. I, in turn, will promptly deliver my response feeling confident the residents of this State will not prematurely reach conclusions until all of the facts are presented. That is the way the process works, that is the only impartial and objective approach, and I strongly believe that is what our fellow citizens expect.

Respectfully,

A handwritten signature in black ink, appearing to read "Mike Edmonson", with a long horizontal flourish extending to the right.

Colonel Mike Edmonson (Retired)

cc: Senator Mike Walsworth (By E-mail: walsworthm@legis.la.gov)

December 12, 2017

Daryl G. Purpera, CPA, CFE
Louisiana Legislative Auditor
Post Office Box 94397
Baton Rouge, LA 70804-9397

Dear Daryl Purpera:

On November 29, 2017, I received a letter from your office regarding the investigative audit report that concerns the Department of Public Safety and Corrections – Public Safety Services – Office of State Police and me. In the letter it asks that I provide information which may affect the findings contained in the draft report which took over 6 months of work by the auditors to complete. Thank you for allowing me the opportunity to provide you with the necessary factual polices, laws, documentation, and statements that will assist your office in formulating a more correct and accurate report in the 14 day timeframe that has been given. The letter essentially asserts that we violated sections of the Louisiana Travel Guide and we may have claimed hours we did not work. In this letter, I will first discuss the overall trip, I will then examine the accounting of our time, I will discuss hotel costs, and lastly, I will offer concluding remarks summarizing events and potential issues with the report I received from your office.

Overall Trip:

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.” Even though the practice of taking a significant other is not uncommon, I can never remember a time that I had the opportunity to take my wife to a work-related conference. Had Edmonson not told me take my wife, I would not have brought her. Being a paramilitary organization, I took his order to mean that I am going to the conferences in San Diego, CA with my wife as an approved passenger, and we were to drive there. I followed his order because I did not want to violate Louisiana State Police Policy and Procedure (LSPP&P), which states that I shall obey and execute all lawful orders of a superior officer.¹ Transporting family members in state police vehicles is not uncommon. State police policy grants us permission to do so without completing any documentation. In fact, the Department grants us this privilege for attending the Louisiana State Troopers Association convention annually. Moreover, signing a form is at odds with our job duties as we regularly transport non-state workers in state police vehicles. Col. Edmonson’s permission to transport a non-state worker without documentation was within the guidelines of LSPP&P. As Col. Edmonson is the Appointing Authority for the Department, it is

¹ *LSPP&P Manual*, August 11, 2016, P.O. 901 Code of Conduct and Ethics, Section 13 Lawful Orders, i, pg. 269

my understanding that it is his discretion to dictate policy for the Department and ultimately has the final say in all matters. Because of this latitude, I am to always listen and do as suggested and instructed by Col. Edmonson and follow the chain-of-command.

As the trip date neared, I learned that I would be driving with Major Derrell Williams, Trooper Thurman Miller, and Trooper Alexandr Nezgodinsky. 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 what route to take, I mentioned to Col. Edmonson that I was unsure of how to go to San Diego. He said, “do not take I10.” He told me there was nothing but desert along I10, and 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 (Central Daylight Time, CDT). Once on the compound, I met with Col. Edmonson, LTC. Dupuy, and others in the cafeteria. I told Col. Edmonson and others 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. Marty Chabert, Director of the Louisiana Oil Spill Coordinator’s Office, was at the table. He told me while at the table that he would try and get us a room in Las Vegas. After my conversation with Col. Edmonson that morning, it was clear to me that he and others at the table 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 and LTC. Dupuy throughout the trip in phone conversations and text messages of our whereabouts.

After finally knowing and getting direction and approval from Col. Edmonson on what route we were taking, we finished loading the vehicle and departed the HQ compound for San Diego. 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, mechanical breakdowns, 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. This methodology was relayed to the Agency Head with no objection.

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. Both Miller and Williams shook their head in agreement as I talked to Colonel Edmonson. I also received phone calls from LTC. Dupuy throughout the trip and updated him on our status and whereabouts. As we continued driving, 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 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 this 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 (CDT) on October 11, 2016, completing an approximate **19-hour day**.

Bing Maps shows the drive time from 7919 Independence Blvd., Baton Rouge, LA to 724 S Polk St., Amarillo, TX to be approximately 14 hours. This time calculation does not consider unexpected traffic incidents and construction, fuel, rest, or meal stops which can significantly extend the time. Considering my day started at 0600 hours and we departed Baton Rouge at approximately 0830 hours, the remaining 2.5 hours is attributed to meal, rest, and fuel stops. Additionally, the fuel records show us refueling in Childress, TX at 2246 hours. The time according to Bing Maps is 2 hours from Childress, TX to the hotel in Amarillo. After refueling and purchasing some items, we departed for Amarillo at approximately 2300 hours. Factoring in the 2 hours of travel according to Bing Maps shows an arrival time of 0100 hours.²

On Tuesday, October 11, 2016 our day began at approximately 0500 hours (CDT). In accordance with the Fair Labor Standards Act (FLSA), because we did not have more than five hours of sleep, those sleep hours should be counted as work hours³; however, after the few hours of rest, we began to drive towards the Grand Canyon as previously discussed with Col. Edmonson and others. Once in the Grand Canyon area we began to look for hotels. They were all above the allowable rate as most hotels are in this area, 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

² Supporting documentation shows the hours worked during travel as extracted from fuel records and time date stamped photographs.

³ Title 29, Subtitle B, Chapter V, Subchapter B, Part 785, Subpart C, 785.22, https://www.ecfr.gov/cgi-bin/text-id?SID=ec65ee032ea509e53c593a42c230ad1c&mc=true&node=se29.3.785_122&rgn=div8

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 2200 hours CDT, completing a 17-hour day. According to Bing Maps it is an approximate 11-hour drive from Amarillo to the Hotels at the Grand Canyon without stopping. The distance from the two points is 710 miles. We obviously did have to stop for fuel, meals, and rest. Including these necessary stops and excluded the time spent searching for cheaper lodging at the Grand Canyon and dinner, we completed an approximate **14-hour day**.

On Wednesday, October 12, 2016, at approximately 0600 to 0700 hours (Mountain Standard Time, MST) I was answering phone calls, checking emails, and doing other Departmental related work projects and 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 13th. 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 never actually visited the Hoover Dam; it was a rest area that contained a view of the dam. We eventually made it to Las Vegas.

Looking at the map and after driving across the barren land, realizing that there were no major cities and not much beyond Las Vegas, we did not want 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, checked into, and got to our rooms at the hotel at approximately 1600 hours (Pacific Daylight Time, PDT)⁴, completing an approximate **9-hour day**.

On October 12, 2016 at approximately 1627 hours (PDT), 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

⁴ During this time of year MST and PDT are the same. <https://www.timeanddate.com/worldclock/converter-classic.html>

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. I had proper authorization by Col. Edmonson and was given a specific detail assignment by LTC. Dupuy, therefore, charged my time in accordance to law and policy.

I was instructed by LTC. Dupuy that my primary duties and responsibility at the conference were to be on-call and available to drive the command staff. This duty was not new to me as I have performed it at past conferences. I was also instructed to provide rides to and from the airport. 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 always on standby for anyone who needed a ride. At approximately 2000 hours (PDT) I met with the command staff, worked on some work-related projects, and my day ended between 2200 to 2300 hours (PDT), completing an approximate **15-hour day**.

On Friday, October 14, 2016, I attended the conferences from 0800 to 1800 hours (PDT) and had meetings with the command staff in between. As per Col. Edmonson, I attended an event to discuss emerging technologies at 1900 hours. I finished my day at 2300 hours (PDT), completing an approximate **15-hour day**. I was instructed by Col. Edmonson and LTC. Dupuy to attend events and be ready to provide rides to anyone who needed me; as per FLSA, I properly claimed compensation for the events I was ordered to attend.⁵ Additionally, I was instructed several times by LTC. Dupuy to claim my time when I was with them, as per policy, I followed his order.

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

On Sunday, October 16, 2016, I began my day at 0900 hours (PDT). I was tasked with driving Col. Edmonson to Torey Pines for a meeting and luncheon with TriTech and then to La Jolla. I received a phone call from Col. Edmonson at approximately 0859 hours where he directed me where to pick him up. The event at Torey Pines was an IACP sponsored event. While at La Jolla, Col. Edmonson met with a Motorola representative. Upon returning from driving the colonel, I was instructed by him to attend two events to learn more about Records Management Systems and Computer Aided Dispatch systems and finished my day at 2300 hours (PDT), completing a **14-hour day**.

⁵ 29 CFR, Subtitle B, Chapter V, Subchapter B, Part 785, Subpart C, 785.11 – 785.13, https://www.ecfr.gov/cgi-bin/text-idx?SID=ec65ee032ea509e53c593a42c230ad1c&mc=true&node=sg29.3.785_110.sg0&rgn=div7

On Monday, October 17, 2016, I began my day at 0900 hours (PDT) and attended the IACP Exposition Hall as per Col. Edmonson and LTC. Dupuy. At approximately 1530 hours, while on standby and waiting for my assignment, I went to the zoo and to La Jolla, CA until approximately 1900 hours. These locations were 10 to 20 minutes away from my lodging and well within a reasonable response time if called upon. Upon my return at 1900 hours, I attended two events, finishing my day at 2200 hours (PDT), completing an approximate **13-hour day**.

During my time at the conference, it was understood that I was there to provide transportation to events and to respond to the needs of the command staff; and as a result, I was always on duty. For three and half hours, I was on “waiting time”⁶ 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. I was not relieved from duty. I was never told that I was free from my duties or given a specified time as to when I would be completely free. 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 the three and half hours of compensation in accordance with the FLSA and as such must be compensated during my time spent at the zoo and La Jolla or would be in violation of Federal law.

On Tuesday, October 18, 2016, I began my day at approximately 0600 hours (PDT) cleaning, packing, conducting work related activities and was on standby for anyone who needed a ride to the airport. I received a phone call from LTC. Dupuy at approximately 0600 hours. I asked him if he needed a ride to the airport; he advised he did not. I remained on standby for other calls while formulating a travel plan. The plan was to take the southern route back home along I10. We departed and 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 (MDT), completing an approximate **16-hour day**.

On Wednesday, October 19, 2016, I began my day at approximately 0700 hours (MDT) 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 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 (CDT), completing an approximate **12-hour day**.

On Thursday, October 20, 2016, I began my day at approximately 0700 hours doing work related activities. We got coffee, ate, and packed the car which was parked at the hotel garage near the Alamo. We took some quick pictures of the Alamo and left for Baton Rouge. We

⁶ 29 CFR, Subtitle B, Chapter V, Subchapter B, Part 785, Subpart C, 785.14 – 785.17, https://www.ecfr.gov/cgi-bin/text-idx?SID=ec65ee032ea509e53c593a42c230ad1c&mc=true&node=sg29.3.785_113.sg1&rgn=div7

arrived at HQ compound at approximately 1715 hours. I unpacked them and drove home arriving just prior to 1800 hours, completing an approximate **11-hour day**.

The 152 hours explained above for each day were calculated using current policy, Federal law, phone and text logs, and fuel records. Moreover, time date stamped pictures were used to validate the legitimacy of the above calculated times. According to timesheets, I only claimed 137 hours, 15 hours less than I was supposed to charge. According to the letter I received from your office, the auditor surmised I may have claimed time I did not earn. However, unfamiliarity of existing laws and policies may have attributed to this improper determination. The auditor failed to use existing policies and Federal law in the calculation of our time. These policies and laws clearly and convincingly show we claimed and completed our timesheets correctly.

Accounting of Time:

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 (LSPC) rules, Federal Fair Labor Standards Act (FLSA), the Code of Federal Regulation (CFR) governing the Act, 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 all of these policies. 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.⁷ 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.^{8,9,10,11}

It is also important to realize that we were the only ones who attended the conference that were forced to drive. All other attendees were allowed to fly. Because of this, their travel time could be completed in one day. Our travel time as discussed with Col. Edmonson would take three days, and by policy, conference travel should be claimed on our timesheets for compensation. 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**

⁷ *LSPP&P Manual*, August 11, 2016, P.O. 221 Expense Reimbursement, Section 3iia, pg. 76

⁸ *LSPP&P Manual*, August 11, 2016, P.O. 201 Accrual of Time, Overtime and Compensatory Time, Sections 3iii and 3v, pg. 11

⁹ LSPC Rules, Chapter 6, Rule 6.18 – 6.20

<http://laspc.dps.louisiana.gov/laspc.nsf/c4b8169248104d4286256ead0069b9bd/049de6b45ea5d66986256ea00053262e?OpenDocument>

¹⁰ FLSA, <https://www.dol.gov/whd/flsa/>, https://www.dol.gov/dol/cfr/Title_29/Chapter_V.htm

¹¹ *Statewide Personnel Policy NO. 2*, Section IV Definitions, pg. 2,

<http://www.doa.la.gov/ohr/OSHCM%20Statewide%20Policy%20Links/StatewidePolicy2.pdf>

transit as work time.¹² 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 as seen in Exhibit C and should have claimed time until reaching the destination 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.¹³ 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 destination.¹⁴ Moreover, Statewide Personnel Policy NO. 2 further clarifies and finally specifies 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.¹⁵ **"Hours worked cease upon arrival at the destination."**¹⁶

The LSPP&P manual, LSPC rules, FLSA/CFR, 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).¹⁷ This policy clearly states that I was to claim my time for meals¹⁸, the conference, activities associated with the conference, and while on authorized travel status, all hours until arrival at the conference destination. All of these policies clearly prove that we attempted to claim the appropriate hours as determined by the guidelines of existing policies.

¹² *LSPP&P Manual*, August 11, 2016, P.O. 201 Accrual of Time, Overtime and Compensatory Time, Sections 4xvi, pg. 14

¹³ *Statewide Personnel Policy NO. 2*, Section VIII Overtime for Attendance at Conferences, Conventions, and Training Programs, pg. 4,

<http://www.doa.la.gov/ohr/OSHCM%20Statewide%20Policy%20Links/StatewidePolicy2.pdf>

¹⁴ *Statewide Personnel Policy NO. 2*, Section IX Overtime for Travel, pg. 4,

<http://www.doa.la.gov/ohr/OSHCM%20Statewide%20Policy%20Links/StatewidePolicy2.pdf>

¹⁵ *Statewide Personnel Policy NO. 2*, Section IX Overtime for Travel, Section 2 Conference Travel, pg. 5,

<http://www.doa.la.gov/ohr/OSHCM%20Statewide%20Policy%20Links/StatewidePolicy2.pdf>

¹⁶ Ibid

¹⁷ *Statewide Personnel Policy NO. 2*, Section III Applicability, pg. 1,

<http://www.doa.la.gov/ohr/OSHCM%20Statewide%20Policy%20Links/StatewidePolicy2.pdf>

¹⁸ *Statewide Personnel Policy NO. 2*, Section VII Overtime for Meal Periods, pg. 4,

<http://www.doa.la.gov/ohr/OSHCM%20Statewide%20Policy%20Links/StatewidePolicy2.pdf>

Our regular work duties and responsibilities never stopped while on the trip, and according to the many policies, we are considered to be working while in transit to the conference. Throughout the trip we were required to complete work duties. The CFRs governing the FLSA specifically says that work suffered or permitted is work time when the employer knows or has reason to believe that the employee is continuing to work even away from the job site.¹⁹ I received work phone calls and work assignments throughout the trip where work was required to be performed. Management also had knowledge of my work throughout the trip as I kept them abreast of situations as they arose. Moreover, the CFR also further elucidates that meal and rest periods shall be included in time calculations. The places visited were designated rest stops as approved and authorized by the Appointing Authority and the Agency Head. It has already been established that we were ordered to drive three days to San Diego and that according to LSPP&P and Statewide Personnel Policy NO. 2, we would be on duty while in transit until reaching our final destination. As such, the CFR states that the employee must be completely relieved from duty for the purposes of eating regular meals.²⁰ Because we were not relieved and were required to perform work duties whether active or inactive while eating, we properly claimed compensation during these meal and rest stops while traveling as prescribed by FLSA.

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 and rest to break the monotony of driving such long distances.²¹ This overall strategy and the places we stopped and visited were suggested, approved, and authorized by Col. Edmonson and again 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 and the places to be visited have been granted by the Appointing Authority. If anything, evidence indicates that the Department Head has authority to change or modify the agencies travel policy.²² In addition, DOA reminds all Department heads to exercise all authority with care and reasonableness with regards to the travel process²³, indicating that they have authority and responsibility in regards to travel regulations. Because we stayed in constant contact with the Department and Agency Head keeping them aware of where we were and where we were staying at all times, a reasonable person would conclude that we acted in accordance to the authority granted by the Department Head. Furthermore, as stated previously, the Appointing Authority's permission and direction supersedes all existing Departmental policies. It is not incumbent for us to question his or the Department's authority.

¹⁹ 29 CFR Subtitle B, Chapter V, Subchapter B, Part 785, Subpart C, 785.11 – 785.12, https://www.ecfr.gov/cgi-bin/text-idx?SID=ae7079166791ef9313623673cfd0eba0&mc=true&node=pt29.3.785&rgn=div5#sg29.3.785_110.sg0

²⁰ 29 CFR Subtitle B, Chapter V, Subchapter B, Part 785, Subpart C, 785.18 – 785.19, https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=23ad567b8b9ea0cb8332821ab969324c&mc=true&n=sp29.3.785.c&r=SUBPART&ty=HTML#sg29.3.785_117.sg2

²¹ 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.

²² *Louisiana Travel Guide*, S1503 General Specifications, Section A Department Policies, pg. 8

²³ *Louisiana Travel Guide*, Memorandum, pg. 1

Captain Graphia after consulting with LTC. Dupuy concerning my timesheet expressed concerns about claiming time for sleeping while in transit. There was never a concern about the time I earned while working at the conference or activities while traveling to the conference. This is because I never claimed time that I did not work or was specifically expressed by a supervisor to claim. 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 or we would have been in violation of LSPP&P, which states that we shall submit all reports on time.²⁴ Because I was forced by policy to submit my timesheet, under the tight time constraints, I readjusted my timesheet (Exhibit B) to the best of my ability to show the work we performed each day of travel. I knew we had traveled more than 12 hours most days; 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 of travel. I averaged out the hours traveled each day to 12 in order to be able to submit my timesheet on time and not be in violation of policy. I explained to Captain Graphia that the travel time I submitted in Exhibit B is an estimate of the average number of the hours we traveled each day. We were both satisfied with the estimate because the hours in no way financially benefited me. In fact, I claimed less time while traveling than I was supposed to claim. 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. I submitted my timesheet as required, and it was signed off on after consultation with both Captain Graphia and LTC. Dupuy. Had it not been completed correctly after review by a Captain and Lieutenant Colonel, I should have been made aware of it.

However, the most distressing thing about the auditor pointing out Exhibit A is that it was never signed off on. This was a timesheet that was submitted for approval, which although correct according to policies and law was not finalized. The fact that several timesheets were submitted proves that I did adhere to the policy of submitting my timesheets for approval, and my timesheets were reviewed, discussed, and approved by a supervisor. Our time was calculated using existing policy and Federal law; furthermore, based on the physical evidence of fuel records, phone logs, and time date stamped photos the calculation of my time indicates that the Department owes me 15 hours. Additionally, when using the minimum standards of the FLSA and CFR, the Department owes me 19 hours. The state policies allow more latitude in the compensation of employees and exceed the minimum requirements in the FLSA. When using FLSA and the existing state policies found in the LSPP&P manual and Statewide Personnel Policy NO. 2 issued by DOA to calculate time, the Department owes me 68 hours. These calculations clearly show I made no attempt to claim time I did not earn and made every attempt to conservatively estimate my time, which benefited the Department. To say that we claimed time for hours we may not have worked would be an unsubstantiated slanderous statement.

Hotel Costs:

²⁴ *LSPP&P Manual*, August 11, 2016, P.O. 901 Code of Conduct and Ethics, Sections 19i, pg. 270

The letter speaks about hotel overages during travel but makes no mention of hotel savings while at the conference. First, I will address the hotel overages during travel. Most of the explanation behind these overages were previously covered above. 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, all of our state credit card expenditures and hotel receipts were approved. In fact, 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.²⁵ 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.²⁶ 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. Additionally, all of my expenses were signed off on by my supervisor, indicating that I did not violate any policies. These facts convincingly illustrate that the letter clearly mischaracterize hotel overages as a violation.

When considering the entire trip, the decision we made as a group on hotel lodging saved the state thousands of dollars. The group consisted of Williams, Miller, Nezgodinsky, and myself. Because the auditor identified us as a group, it is only suitable to calculate the costs as a group. When looking for lodging, the costs for the entire group was always a consideration and the decisions on lodging were made to reflect such. As seen in Table 1 below, the state travel policy as written would have cost the Department \$7,972.79 in lodging for the group; however, by staying at a non-conference hotel and rooming double occupancy both at the conference and while traveling only cost the state \$4,682.70 for the group.

²⁵ *Louisiana Travel Guide*, S1506 Lodging and Meals, Section B,1, pg. 25

²⁶ *LSPP&P Manual*, August 11, 2016, P.O. 221 Expense Reimbursement, Section 4 Lodging, v, pg. 77

	Allowable Hotel Costs According to State Travel Policy for the Group	Hotel Costs Actually Charged by the Group	Over/Under Tier City Allocation for the Group
10-Oct	\$364.00	\$449.97	\$85.97
11-Oct	\$364.00	\$687.00	\$323.00
12-Oct	\$504.00	\$507.00	\$3.00
13-Oct	\$1,159.96	\$413.70	-\$746.26
14-Oct	\$1,159.96	\$413.70	-\$746.26
15-Oct	\$1,159.96	\$538.70	-\$621.26
16-Oct	\$1,159.96	\$538.70	-\$621.26
17-Oct	\$1,159.96	\$538.70	-\$621.26
18-Oct	\$562.99	\$290.75	-\$272.24
19-Oct	\$378.00	\$304.48	-\$73.52
Overage			\$411.97
Underage			-\$3,702.06
Total	\$7,972.79	\$4,682.70	-\$3,290.09

Table 1

While we did experience some unavoidable hotel overages during the trip, they were negligible when considering the total amount saved. These overages were approved and later justified, which resulted in a costs savings to the Department of \$3,290.09 as seen in Table 1. It seems unreasonable and alarming that we would be listed in violation of a policy where the overall outcome resulted in a costs savings to the state. It also seems irrational to identify us as a group throughout the trip and then classify us singularly to point out hotel overages but not hotel savings. As stated before, we made decisions on hotel stays and cost as a group, as such, it is appropriate to calculate hotel cost in the same manner. Table 1 above does this and clearly displays a savings.

Concluding Remarks:

The policy evidence presented in this letter overwhelmingly supports the decisions that were made during the trip and provides proper justification for the manner in which time and hotel charges were accumulated. Additionally, the auditor's report I received makes no real mention of the Department's deficiencies in policy or clarity of its existing policies. As state troopers, we are required to adhere to the LSPP&P manual. This living document is over 300 pages and is supposed to contain all policies and procedures we are required to follow to ensure we are in compliance with applicable standards. Compliance with this manual and following the chain of command are reinforced throughout our careers. The unavoidable fact is – a lack of policy equates to a lack of direction and guidance for employees. The fact that the audit report makes almost no reference to any other policies or laws or lack thereof in LSPP&P is concerning.

The report attempted to show us in a negative way by making the claim that we had hotel overages. First, hotel overages are not a violation. Second, the tiers for hotel reimbursements are so low that no safe hotel can honor them. Third, we properly justified them as required by policy, and lastly, they were approved and signed off on by the Appointing Authority, Agency Head and other supervisors. The decisions we made in travel and conference lodging overall resulted in a costs savings and to list hotel overages is misleading when including the totality of circumstances.

The Louisiana Legislative Auditor's (LLA's) report contained inaccuracies in the calculations, makes assumptions throughout the report, and takes statements that were made out of context. For instance, in Table 1 of LLA's report, the auditor used regular salaries in her costs analysis. Regular salaries are a fixed cost to the state. These monies are a constant. If the employee is at work, at a conference, in training, on vacation, on sick leave, on military leave, or compensatory leave, the costs to the state remain the same. The personnel who attended this conference would have been paid the same base salaries if they did not attend or took leave during the time of the conference. Therefore, including regular salaries in the costs calculations results in unnecessarily inflating numbers and gives the appearance of attempting to add shock value to the calculations by including a fixed cost. Additionally, the auditor assumes that our time away from the conference prevented us from doing regularly assigned work and offers no factual basis for this assumption which clearly makes it conjecture. Assumptions and guesswork have no place in a professional unbiased report, doing such demonstrates partiality and reduces credibility.

Work is not a place; it is something that is done. The fact is I was required to keep up with my assignments throughout the trip. I maintained regular contact with my subordinates and supervisors. I assisted them with finalizing reports, reviewing grants, and conducting research for the Department and other legislative entities. I witnessed others work on reports, read department related material pertaining to job training, and conduct research; therefore, work was being performed while traveling to and at the conference, and we were not prevented from performing our regularly assigned work. To offer a contradictory assumption as a basis for a calculation is without merit.

What further hinders the credibility of the report is lodging was not included in the costs to fly in the LLA's Table 1. The Louisiana Travel Guide clearly allows for lodging a day before and a day after the conference. As such the conference hotel rate should have been added to the calculations. Furthermore, a rental car is included in LLA's calculation to fly but hotel parking for said vehicle is not listed. These costs are allowable by policy and as such should have been included in LLA's calculations.

From the beginning Col. Edmonson denied he knew about our travel to Las Vegas and said we would pay the money back. He also immediately specified that the inquiry could result in possible disciplinary action, thereby, prematurely assigning culpability. In a statement released

to the media on February 20, 2017 by Col. Edmonson, he is quoted as saying, “**After learning last week** of the fact that agency representatives traveling to a conference in San Diego claimed overtime and traveled through Las Vegas. I immediately began a review of the circumstances surrounding the trip.”²⁷ It has already been established that Col. Edmonson knew of our whereabouts the entire trip. During the interrogation on the 20th by Internal Affairs investigators, despite the fear of repercussion, I told the investigators that Col. Edmonson knew where we had gone and stayed and had given us permission to stay and visit those places. We were questioned again on the 21st and specifically asked if we made a statement to the media saying Col. Edmonson gave us permission to stay and visit the listed places. When he learned we would not support his lie and that we may have been talking to the media, he immediately ordered an Internal Affairs investigation on all of us. Under an Internal Affairs investigation, we are not allowed to further discuss the details of the case, essentially placing a gag order on us. As stated above, I gave the I.A. investigators all the proof they needed to show that Col. Edmonson was not being truthful; however, this apparently had no impact on their investigation. They never formally questioned him or cited him for violating LSPP&P where it says a commissioned officer shall not publicly criticize another officer where such is defamatory and exhibits a reckless disregard for the truth.²⁸ Additionally, they could have but did not cite him for make a false statement.²⁹ Clearly, indicating that we were the sole targets of the investigation.

The fact is Col. Edmonson and others knew our whereabouts the entire trip. As the 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. He told me that the Palazzo, which is where we stayed, was his favorite hotel in Las Vegas. Additionally, pictures of the places we visited were sent to Col. Edmonson and others. At no time did he or anyone else 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 and others signed off on our state credit card charges, which showed where we stayed and what we paid for lodging.

We were the only ones ordered to drive across the county while everyone else who attended the conference was allowed to fly. Because we were ordered and after consulting with Colonel Edmonson the trip was expected to take at least three days. Colonel Edmonson told us not to take I-10 which would have been the most direct route and suggested and approved the route that would be taken. As Superintendent, he should have known LSPP&P and Statewide Personal Policy NO. 2., which indicates that we shall be compensated while in transit until

²⁷ Zurik, L. “Edmonson may have signed off on troopers’ Vegas stop.” Fox 8, February 20, 2017.,

<http://www.fox8live.com/story/34548534/zurik-edmonson-may-have-signed-off-on-troopers-vegas-stop>

²⁸ *LSPP&P Manual*, August 11, 2016, P.O. 901 Code of Conduct and Ethics, Section 5 Loyalty to the Department, pg. 267

²⁹ *LSPP&P Manual*, August 11, 2016, P.O. 901 Code of Conduct and Ethics, Section 15 False Statements, pg. 269

reaching our final destination. Knowing that we would be on duty for more than 24 hours because of the three days of travel, there was no expressed or implied agreement by him or in any policy that meals or sleeping time would be excluded. To the contrary, every policy and FLSA either suggests or directly indicates that meal periods, rest periods, and time until reaching the destination shall be claimed. Therefore, in accordance with Federal law, the time was initially calculated correctly.³⁰ Moreover, I was instructed as in past conferences that my job duties were to be on-call, prepared, and at the ready to transport any of the command staff at any time they needed me while at the conference, as well as, attend events as designated by the command staff. In accordance with FLSA waiting time, on-call time, suffered or permitted to work, and rest and meal periods, I claimed my time properly.³¹

The fact that my timesheets and Travel Expense Account sheets were changed multiple times indicates that supervisors had knowledge of all time and expenses incurred on the trip. It further illustrates that both my timesheets and Travel Expense Account sheets are merely items submitted for possible reimbursement, which ultimately must be approved by the Department for payment. The Department did in fact accept these items every time I submitted them because they were filled out in accordance with the established policies. If they were filled out improperly, it is because the policies were unclear and the Department failed to give the proper policy guidance.

Driving across the country to a conference had never been done by any of us or anyone else to my knowledge. We did the best we could considering the circumstance that were placed on us. The policy evidence from the LSPP&P manual, LSPC rules, 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, all time claimed was justified, and no time was claimed in excess of what was earned. Additionally, I was in the presence of my chain-of-command while at the conference. All time claimed was because I was told to claim it.

The Department did not accept responsibility and ultimately failed to heed recommendations offered in the Louisiana Travel Guide by not providing the proper and necessary training. The guide recommends that a course on travel regulations be given once hired and annually thereafter. In almost twenty years with the department, I have never been given or offered a chance to take a class on the travel guidelines. Moreover, I have never heard of anyone in the Department being offered or known to have taken a class on the travel guidelines even though it is a recommendation that training be conducted annually by DOA.

During the time of travel the Department failed to have a proper policy in place. The auditor fails to reference this in the report. It was mentioned in a news article that Col. Edmonson said that there would be changes to the State Police travel policy. His statement

³⁰ 29 CFR Subtitle B, Chapter V, Subchapter B, Part 785, Subpart C, 785.22, https://www.ecfr.gov/cgi-bin/text-idx?SID=ec65ee032ea509e53c593a42c230ad1c&mc=true&node=se29.3.785_122&rgn=div8

³¹ 29 CFR Subtitle B, Chapter V, Subchapter B, Part 785, Subpart C, 785.11 – 785.19

indicated apparent deficiencies with the policy, and on July 20, 2017 after the trip had taken place, the Department released a comprehensive travel policy for all employees in the Department, which had not currently existed. The new policy includes much of the language from the State Travel Guide. This is a clear indication that the Department realized it had not previously had the necessary policy in effect. If I did not follow the Louisiana Travel Guide correctly, it is because it is not properly referenced in the LSPP&P manual and the Department has failed to accept the recommendations of DOA and offer the proper training and support for its employees.

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 not to take I10 and to take a northern route to see the mountains and Grand Canyon. Together we decided that a northern route would be better to be able to see and visit places like the Grand Canyon, Hoover Dam, and Las Vegas to make the long drive more enjoyable.

Notwithstanding the fact that no Louisiana State Police Policy was violated a policy that no one knew about was violated. The policy that the most direct route had to be taken is not in the LSPP&P manual; however, 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, vehicle use, time, per diem, and lodging and on March 24, 2017, I reimbursed the Department \$1,304.90. My decision to reimburse the Department was done on my own accord as seen in Exhibit E. This was a personal decision I made, not out of guilt or because of a policy violation that no one knew about, but because, it was the right thing to do.

Regardless of any perceived violations of policy the auditor thinks were committed or because of the lack of clarity in the existing policies, when considering the overall choices, made during the trip, it resulted in the savings of thousands of dollars. Staying single occupancy and paying the conference rate for a room are all things that are allowable under the state travel regulations; however, the decision to stay double occupancy and at a less expensive room rate then the conference rate saved the state approximately \$3,000 overall in lodging costs. 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 assist your office in completing a fair and impartial report.

Sincerely,

Rodney Hyatt

LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, PUBLIC SAFETY SERVICES

Louisiana State Police
Operational Development
TIMESHEET

EMPLOYEE NAME: (PLEASE PRINT)		FLSA Status		PERSONNEL NUMBER:		TEMPORARY DOMICILE DUTY (if Applicable)		PAY PERIOD											
Rodney Hyatt		Non-Exempt		P00086717		Unit		FROM 10/10/16 TO 10/23/16											
DATE	IN	OUT	REGULAR	ANNUAL	SICK	COMP	HOLIDAY	OTHER	CODE	REGULAR OT	REGULAR OT	REGULAR OT	REGULAR OT	DAILY TOTAL	SECURITY / DETAIL	ON CALL	SHIFT	UNIFORM	COMMENTS
			(LA)	(LB)	(LC)	(LD)	(LE)	(LF)		PAID OT #1	PAID OT #2	PAID OT #3							(see instructions page)
MON 10/10	6:00	0:00	8.00							10.00	T1			18.00				1.0	ICP/Special Detail No Lunch
TUE 10/11	0:00	0:00	8.00							16.00	T1			24.00				1.0	ICP/Special Detail No Lunch
WED 10/12	0:00	0:00	8.00							16.00	T1			24.00				1.0	ICP/Special Detail No Lunch
THU 10/13	0:00	22:30	8.00							14.00	T1			22.00				1.0	ICP/Special Detail
FRI 10/14	8:00	22:30	8.00							6.00	T1			14.00				1.0	ICP/Special Detail
SAT 10/15	8:00	22:30								0.00	T1			14.00				1.0	ICP/Special Detail
SUN 10/16	8:00	21:30								0.00	T1			12.00				1.0	ICP/Special Detail
MON 10/17	8:00	21:30	8.00							4.00	T1			12.00				1.0	ICP/Special Detail
TUE 10/18	8:00	0:00	8.00							7.00	T1			15.00				1.0	ICP/Special Detail No Lunch
WED 10/19	0:00	0:00	8.00							16.00	T1			24.00				1.0	ICP/Special Detail No Lunch
THU 10/20	0:00	17:00	10.00							7.00	T1			17.00				1.0	ICP/Special Detail No Lunch
FRI 10/21	8:00	14:30	6.00											6.00				1.0	
SAT 10/22	17:00	1:00								8.00	T1			8.00				1.0	Legislative Special Detail
SUN 10/23	RDO									0.00				0.00					
TOTALS			66.00	0.00	0.00	0.00	0.00	0.00		60.00	0.00	0.00		210.00	0.0	0.0	0.0	13.0	

I certify that the above information is true and correct:

DATE:

I certify that the above information is true and correct:

SIGNATURE OF IMMEDIATE SUPERVISOR:

EXHIBIT

DATE:

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LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, PUBLIC SAFETY SERVICES

Louisiana State Police

Operational Development

TIME SHEET

NOTE: MAKE (PLEASE PRINT)

Rodney Hyatt

FLSA Status
Non-Exempt

PERSONNEL NUMBER
P00000217

TEMPORARY DUTY (If Applicable)
Unit
Division

FROM
10/10/16

PAY PERIOD
TO
10/23/16

DATE	IN	OUT	REGULAR HOURS	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS (L)	REGULAR HOURS
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I certify that the above information is true and correct.

EMPLOYEE SIGNATURE

10/21/2016

I certify that the above information is true and correct.

SIGNATURE OF IMMEDIATE SUPERVISOR

10-21-2016

EXHIBIT

DATE

10/25/2016

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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) 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		\$0.00
		* Per mile cost may differ from year to year (check travel regs)			
Subsistence:	LODGING		\$0.00	\$0.00	
	MEALS		\$639.00		
*Laundry:				\$0.00	
*Standard Allowance:				\$0.00	
Miscellaneous:				\$0.00	
Subtotal:				\$639.00	
Less: Travel Advance:					
Total Reimbursable Cost:				\$639.00	

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 TITLE/POSITION: Lieutenant OFFICIAL DOMICILE: Baton Rouge

CERTIFICATE OF SUPERVISOR

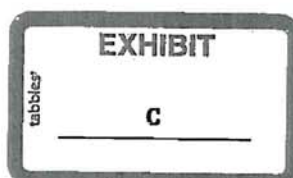
I certify that the charges set forth on this expense account have been examined by me; that the services for which the charges are made were necessary and proper; and that, in my opinion, the amounts claimed are just and reasonable.

SIGNED BY: Gregory G. Gresham NAME: Gregory G. Gresham TITLE: Commander

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

ADMINISTRATIVE COMPLIANCE

DPSMF 1382 (R 06/12)



NOV 16 2016

DATE	HOUR		HOURS WORKED	TERRITORY TRAVELED SHOW ALL POINTS VISITED	ODOMETER READING		MILES TRAV.	Designated Tier	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/SPPOS Conference San Diego, CA				III		X	X	X	\$61.00			
10/12/2016				IACP/SPPOS Conference San Diego, CA				III		X	X	X	\$61.00			
10/13/2016				IACP/SPPOS Conference San Diego, CA				III		X	X	X	\$61.00			
10/14/2016				IACP/SPPOS Conference San Diego, CA				III		X	X	X	\$61.00			
10/15/2016				IACP/SPPOS Conference San Diego, CA				III		X	X	X	\$61.00			
10/16/2016				IACP/SPPOS Conference San Diego, CA				III		X	X	X	\$61.00			
10/17/2016				IACP/SPPOS Conference San Diego, CA				III		X	X	X	\$61.00			
10/18/2016				IACP/SPPOS Conference San Diego, CA				III		X	X	X	\$61.00			
10/19/2016				IACP/SPPOS Conference San Diego, CA				III		X	X	X	\$61.00			
10/20/2016	17:00			IACP/SPPOS Conference San Diego, CA				III		X	X	X	\$61.00			
				San Diego, CA to Baton Rouge, LA				III		X	X		\$26.00			
TOTALS									\$0.00				\$639.00	\$0.00		\$0.00

COST CENTER 4192218

OBJECT CODE 2610-02

REPORTING CATEGORY 4194723

GRANT #

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

Travel to San Diego, CA to attend IACP/SPPOS 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 Blarney.

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 make sure that sums equal totals on front and back pages. 7. Must attach approved Travel/Training Request to Expense Voucher.

REVISED 6/12

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)

P00086217

AGENCY

LSP

Destination (City, State)

San Diego, California

SECTION/TROOP

Operational Development

Purpose of the Trip:

IACP/SPPPPOS 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 regs)				
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

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.

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.



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) 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		\$0.00
		* Per mile cost may differ from year to year (check travel regs)				
Subsistence:	LODGING				\$0.00	
	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

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.

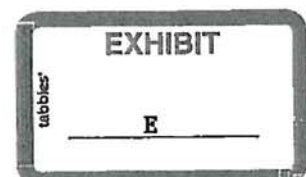
<i>Rodney Hyatt</i>	<i>Lieutenant</i>	<i>Baton Rouge</i>
SIGNED BY PAYEE	TITLE/POSITION	OFFICIAL DOMICILE

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.

<i>Chris Grogan</i>	<i>Chris Grogan</i>	<i>Chris Grogan</i>
SIGNED BY	NAME	TITLE

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



JOHN BEL EDWARDS
GOVERNOR



KAREN G. ST. GERMAIN
COMMISSIONER

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

December 13, 2017

Daryl G. Purpera, CPA, CFE
Louisiana Legislative Auditor
Post Office Box 94397
Baton Rouge, Louisiana 70804-9397

(Via email: DPurpera@lla.la.gov)

Dear Mr. Purpera:

Please find the following response to the draft investigative audit report dated November 29, 2017, for the Department of Public Safety and Corrections.

The audit report indicates that it "appears" that I had personal use of dormitory room at the LSP Training academy. Although I stated that I utilized a room at the academy, it was done so as it relates to my job duties and responsibilities as OMV Commissioner. I disagree with portrayal of the audit finding and conclusions drawn by the auditors which seems to have been developed with misinformation or without consideration of other circumstances. I am unaware of any documentation that supports the allegations regarding "personal" utilization of a state owned single bed dorm room versus a rented hotel room when it was necessary for me to remain in Baton Rouge. Whereas utilizing a hotel room would have created a cost to the department, I opted for use of an existing department facility that was designed as a dormitory to house employees and resulted in no cost to the department.

My recollection of the sequence of events is at some point at the beginning of my appointment, a single use dorm room was offered by Colonel Edmonson and DPS General Counsel Frank Blackburn due to the potential frequent need for me to remain in Baton Rouge versus returning to my family home in Pierre Part. I can assure you that my choice has always been to return to my family and my family home. Instead of incurring expenses to the state, it was said to me that this would be more fiscally responsible. During these events, I never collected per diem. It is and was evident to me that the state was not in a sound fiscal environment. So staying in a facility next to GOHSEP and on the same compound as my office was a responsible thing to do.

I am a public servant and consider myself a person who will do and help in any capacity. I did not once consider this a luxury. It was a need.

Some of the events that may have required me to remain in Baton Rouge are:

- Legislative Sessions
 - 2 - 2016 Special Sessions
 - 1 - 2016 Regular Session
 - 1 - 2017 Regular Session

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- Early morning and late evening meetings with legislatures regarding proposed legislation
- Committee meetings – including weekends
- Disaster situations
 - Flooding – February 2016
 - Flooding - March 2016
 - Flooding - August 2016
 - Tropical Depression 9 – August 2016
 - Flooding – May 2017
 - Tropical Storm Cindy – June 2017
 - Hurricane Harvey – August 2017

In summary:

- There was no discussion regarding payment necessity
- I was never furnished with an invoice from DPS Training Academy
- I never signed any documents agreeing to pay any room rental fees
- I only utilized the single bed dorm room on an infrequent and irregular basis when necessary to stay overnight in Baton Rouge in connection with work
- Although a room key was retained, I never had an expectation of exclusive use of the single bed dorm room
- If at any time the room was needed for rental purposes, I would have made the room available
- According to State Travel regulations:
 - I would have been entitled to stay at a hotel at a rate of \$98 per night – (does not include non-state taxes)
 - I would have been to claim meal reimbursement at a rate of \$51 per day
- I chose to utilize a state owned single bed dorm room and pay for my meals out of pocket

Thank you for the opportunity to respond to your initial audit. Please review this response and take it into account with regard to your final report.

Sincerely,


Karen G. St. Germain
Commissioner
Louisiana Office of Motor Vehicles

December 11, 2017

Daryl G. Purpera, CPA, CFE
Louisiana Legislative Auditor
Post Office Box 94397
Baton Rouge, Louisiana 70804-9397

Mr. Purpera:

Please accept this letter as my official response to the investigative audit report provided to me by the Louisiana Legislative Auditor's office.

The audit report states that training academy records indicate that I had exclusive access to a dormitory room beginning May 27, 2015 through August 2016 which may have resulted in a loss of revenue due to the room being unavailable for rental purposes. I disagree with this conclusion inasmuch that use of this room was not exclusive nor rendered the training academy with a lack of room availability if needed. The audit report states that I acknowledged use of the room during that time period and "moved out" as a result of the August 2016 flood. The language is misleading as it portrays the use of the room as my place of residence for that time period, which is incorrect. The time period cited would be the approximate dates a key was issued to me. Additionally, my comment to the auditor regarding the 2016 floods was providing an example of when the room was made available for use by employees impacted by the floods. I discontinued use of the room shortly thereafter as my daily routine changed and I was no longer utilizing the room in lieu of the locker room.

I do agree that I utilized a dormitory room but did so in lieu of utilizing the departmental locker room and shower facilities. As you are aware, the LSP Training Academy consists of a gymnasium, pool, dormitory, classrooms, and other facilities that are routinely utilized by many employees within Public Safety Services and at no charge to the employee. Although I received permission to use a dormitory room instead of the locker room, I did so without making the training academy facilities unavailable for renting as access was given to a room that was not otherwise being utilized. I advised the commander of the Training Academy that anytime the dormitory room was needed it would be available for renting as this was the priority.

Additionally, there are times during other law enforcement agency training programs (CARTA), access to the locker room is extremely limited or unavailable as the cadets are utilizing the locker room and showers at full capacity. Use of a room eliminated this issue. Training Academy staff have regularly used dormitory rooms in this manner in an effort to provide privacy for the staff and due to limited amount of space in the locker room. Furthermore, the report indicates that I had exclusive access which is not correct. Although I was issued a key for a dorm room for the time period stated, I never requested exclusive use of a room but simply had access to use when needed as stated above. If at any time the room was needed, it would have been available.

All DPS employees are granted both access and use of department facilities and equipment such as the gymnasium, indoor pool, individually assigned lockers, etc. This is managed by the department and access/use is limited when needed for training purposes but granted when

otherwise not being utilized just like access to dormitory rooms. The use of and access to a dormitory room is akin to the use and access granted to all DPS employees for other departmental facilities. There is no additional cost to the department by personnel utilizing a dorm room versus the locker room.

I appreciate the opportunity to respond to the audit report and I hope that you will consider my response as it pertains to this preliminary finding.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason S. Starnes". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jason S. Starnes

December 11, 2017

Daryl G. Purpera, CPA, CFE

Louisiana Legislative Auditor

Post Office Box 94397

Baton Rouge, Louisiana 70804-9397

Mr. Purpera,

I am writing this letter in response to the draft of the investigative audit report that was emailed to me from the Legislative Auditor's office.

First, I would like to respond to section identified as Improper Travel. I have been employed with Louisiana State Police 22 ½ years. I have attended many schools and several conferences. Over the course of my career I have not made regular trips beyond 12 hours that would deem me having a working knowledge familiar with the policy that states you must take the most direct or cost effective means of travel. During our travel in question I never spoke to Col. Edmonson. I heard Lt. Hyatt and his wife Michelle speak to the Colonel several times. The Colonel would ask questions like where are you, is everyone ok, and if everyone was having a good time. Although I was the highest ranking trooper in the vehicle, the Colonel never spoke to me. From the conversations I overheard I felt like the Colonel knew where we were the whole time and did not have a problem with the route we were taking. I would also like to bring to your attention that I was added to the trip after most if not all plans were made.

Secondly, I would like to address the issue of Private use of LSP Facilities. The report states that Training Academy records show that I had exclusive access to Training Academy rooms from March 7, 2013 to April 7, 2017. I am not sure what records they are referencing. My only assumption would be that March 7, 2013 was the day I got promoted to Captain as the Commander of the Training Academy. It was two weeks later that I moved into my office and was issued a set of keys to the Training Academy. The set of keys I was issued included a master key that would give me access to all of the dorm rooms. Every member of the Academy staff is issued the same exact keys and they all have access to all of the rooms for several reasons. Since my job is in Baton Rouge LA and I reside in Thibodaux LA, I was approved by Colonel Edmonson to use any of the rooms that were available if I worked late and needed to stay local or it was unsafe to drive home. It was always my understanding that if I occupied a room and the room was needed I would remove anything I had in the room and have it cleaned immediately. To my knowledge there was no policy in place to follow regarding use of rooms. Again having access to training Academy dorm rooms was given to every member of the Training Academy Staff and was used by them for various reasons. As stated in the audit there is no current policy that gives instruction for private use of the facility. I beg to differ with such

findings that the use of the room was for “private” reasons. It was directly related to the job and responsibilities assigned. As the Captain over the facility and operations within, I made myself available to staff, cadets and participants that may have a need during academies and training. That availability extended beyond day hours while on the premises and at home.

Sincerely,

Derrell Williams.

APPENDIX C

Supplemental Response/LLA Comments

We released our Investigative Audit report on the Department of Public Safety and Corrections, Public Safety Services, Office of State Police on December 14, 2017. Former Louisiana State Police (LSP) Col. Michael D. Edmonson wrote to this office on December 13, 2017, stating that he needed additional time to respond and would do so by January 15, 2018. We subsequently received the attached letter from Colonel Edmonson's attorney, dated January 16, 2018, which contains the three issues addressed below.

Use of Residential Conference Center

Colonel Edmonson's attorney suggests that former Gov. Bobby Jindal's Chief of Staff Timmy Teepell's letter to *The Advocate* published December 11, 2017, shows Colonel Edmonson and his family were authorized to live in the Residential Conference Center (RCC). In our report, we stated that neither we nor LSP management were able to find a law, administrative rule, LSP policy, or contract that authorized Colonel Edmonson to use and occupy the RCC as his primary residence. That fact remains true today. Mr. Teepell's letter to *The Advocate* does state that Mr. Teepell approved Colonel Edmonson moving his family into the RCC while serving on Governor-Elect Jindal's transition team. However, considering Governor-Elect Jindal had not yet assumed office, it appears that Mr. Teepell lacked the authority to take any official action.

Moreover, authorization has no bearing on the taxability issue. That is, the Internal Revenue Code allows employer-provided housing to be an income-tax-free fringe benefit for an employee only if three conditions are met:

1. The lodging is furnished on the business premises of the employer;
2. The lodging is furnished for the convenience of the employer; and
3. The employee is required to accept such lodging as a condition of employment.

Although the first condition was clearly met, we were unable to find any verbal or written evidence that Colonel Edmonson living in the RCC was for DPS' convenience or that Colonel Edmonson was required to live in the RCC as a condition of his employment. Mr. Teepell's letter states that he "approved" Colonel Edmonson moving his family into the RCC, which negates the fact that it was a requirement of his position.

Receipt of Overtime Pay

Colonel Edmonson's attorney asserts that Colonel Edmonson never requested nor received overtime pay for hours worked beyond his expected work schedule. However, Colonel Edmonson's payroll records indicate he was paid \$18,085 for unused compensatory (overtime) hours upon his retirement.

Release of Draft Audit Report

Colonel Edmonson's attorney states that Colonel Edmonson was unable to engage in a meaningful preliminary conference with the auditors due to the premature release of the draft audit. We were scheduled to meet with Colonel Edmonson on November 29, 2017, at which time we would hand-deliver a copy of the draft report and discuss the findings with him. However, Colonel Edmonson cancelled the meeting on November 28, 2017, and asked us to email a copy of the draft report to him. We emailed the draft report to Colonel Edmonson on November 28, 2017, accompanied by a letter addressed to him requesting a response. The draft report and letter we emailed to Colonel Edmonson were distributed to the media by someone unknown to us. We conducted an internal investigation but found no evidence the draft report was distributed by a Legislative Auditor employee.

HARRY ROSENBERG
Partner
(504) 584-9219
harry.rosenberg@phelps.com

January 16, 2018

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BY E-MAIL AND U.S. MAIL

Mr. Daryl G. Purpera
Legislative Auditor
1600 N. 3rd Street
P. O. Box 94397
Baton Rouge, LA 70804-9397
dpurpera@lla.la.gov

Re: Audit of Department of Public Safety and Corrections, Public Safety Services

Dear Mr. Purpera:

This letter supplements the previous response by Colonel Mike Edmonson (retired) to the audit prepared by the Office of the Legislative Auditor regarding the Department of Public Safety and Corrections (DPS) issued on December 14, 2017. I ask that you append this response on behalf of Colonel Edmonson to the December 14, 2017 audit consistent with the practice of your Office.

At the outset, I wish to address directly the issue regarding use of the Residential Conference Center. Although the auditors correctly stated that there is no statutory or regulatory prohibition in Colonel Edmonson's use of the Conference Center (RCC) for residential purposes, they conversely stated they could not find legal authority to authorize him to live in the RCC. By now, I trust that you have received the correspondence from the former Chief of Staff for Governor Bobby Jindal reflecting that the Governor's Administration believed that it was appropriate, helpful and often essential for Colonel Edmonson and his family to remain and live in that facility so he could be accessible to the Governor and senior staff of the Governor at all times, which is what occurred. Consistent with the approbation of Governor Jindal's senior staff, Governor John Bell Edwards recently stated publicly that he expected Colonel Edmonson to be living in that residence and available at all times.

Throughout hundreds of highly publicized events, such as the flooding that unfortunately occurred in Baton Rouge in 2016, devastating tornadoes, shootings of police officers, police shootings of citizens in different parts of the State, including the death of a six year old by gunfire, widespread protests, the Lafayette movie theatre shooting, all of which, among other law enforcement events, Colonel Edmonson's immediate presence with the Governor, the local sheriffs, Police Chiefs, and senior public officials was paramount and unquestionably in the public's best interest during his over 9 years as head of the Louisiana State Police. I respectfully invite you to review the vast array of news articles and reports about these series of countless public events that broadcasted Colonel Edmonson with the Governor and other high-ranking

officials simultaneous with these unfortunate occurrences. Underscoring the requests and expectations from the State's Executive Office was the frequency and duration of such crises coupled with the often non-stop need for Colonel Edmonson's presence at a moment's notice. And besides the absence of statutory directives regarding use of the Conference Center, it should be recognized that other Colonels preceding Colonel Edmonson adhered to the same practice.

Colonel Edmonson retired in March 2017 after 36 years of service and over nine years as Superintendent. During that time, he brought together federal, local, parish, and State law enforcement agencies – working together like they had never done before in the State of Louisiana. Criss-crossing the State, he has been the consistent calming presence through numerous unfortunate crises that our State has experienced. During his four-decade career with the State Police, he worked tirelessly with the respective local law enforcement agencies, as Louisiana residents frequently expressed and observed first-hand.

The auditors also referenced the overtime pay that a few state troopers received as the result of travel outside of the State. Colonel Edmonson did not approve that overtime, and, indeed, he requested that an internal audit and investigation be undertaken regarding the overtime request by those few state troopers. Most of the overtime requests were rejected, and the remaining overtime requests are still the subject of dispute. Of course, Colonel Edmonson had a supervisory staff, augmenting the normal chain of command for each state trooper, to oversee the appropriateness of overtime, in addition to the fact that the troopers themselves had been trained and should have recognized if overtime payments were permissible. Tellingly, as recognized by the auditors, these troopers never received permission from Colonel Edmonson to charge overtime associated with their forays. In sharp contrast, though Colonel Edmonson's expected work schedule as Colonel of the Louisiana State Police was 8:00 a.m. to 4:30 p.m. during the week, he invariably worked many hours per day beyond those scheduled hours (often 6 to 8 hours in addition to those work days), and frequently his duties required work during evenings and through weekends. Yet, as Colonel, Colonel Edmonson never requested nor received overtime pay for these numerous hours of public service.

Regrettably, Colonel Edmonson was unable to engage in a meaningful preliminary conference with you due to the premature release of the "draft" audit. Such a normal protocol would have allowed Colonel Edmonson to respond to more of the auditors' initial commentary. Of equal import, Colonel Edmonson simply does not have the type of resources to respond to other observations made by the auditors. Without hesitation, Colonel Edmonson agrees with the recommendations of the auditors designed to enhance transparency and accountability. Colonel Edmonson, like his successor, Colonel Reeves, agrees that administrative policies, recordkeeping, and oversight always can be improved, and the auditors' recommendations advance that very goal of better defined policies and protocol for the Louisiana State Police.

Respectfully submitted,



Harry Rosenberg

HR/bf

Daryl G. Purpera
January 16, 2018
Page 3

cc: Senator Mike Walsworth (By E-mail: walsworthm@legis.la.gov)