INTER-OFFICE MEMORANDUM
City of Shreveport

SHREVEPORT POLICE DEPARTMENT
OFFICE OF THE CHIEF OF POLICE

Telephone: 673-6900 Fax: 673-6914

DATE: April 24, 1997

TO: Brent D. Mason, Officer
Operations Division

FROM: Stephen W. Prator
Chief of Police

SUBJECT: **Personnel Action Relative To Missing Court**

This communication is in reference to the above violation and the personnel action that was taken as a result.

Court attendance records indicate that you have missed attending court two times within the past twelve months. Specifically, you were absent on August 12, 1996 and again on March 03, 1997. You indicated in your response to the violation on August 12th that it must have been an oversight and that you didn't realize you had court. Regarding the absence of March 3rd, you stated that you were at the outdoor range for scheduled tactical firearms training. An administrative review of this case has been conducted by your chain-of-command. As a result of the review, it was determined that you violated SPD 301.5 - Appearance at Legal Proceedings.

On April 24, 1997, Assistant Chief Jack Miller conducted a Predisciplinary Conference as a result of the above violations. During the Conference, in accordance with established procedure, Assistant Chief Miller felt as though your actions were sufficient to warrant personnel action in the form of a fine.

Your conduct violated Municipal Fire and Police Civil Service Law and Departmental Rules and Regulations, specifically:

R.S. 33:2500 Corrective and Disciplinary Action For Maintaining Standards Of Service.

(A) The tenure of persons who have been regularly and permanently inducted into positions of the classified service shall be during good behavior. However, the appointing authority may remove any employee from the service, or take such disciplinary action as the circumstances warrant in the manner provided below for any one of the following reasons:

(1) Unwillingness or failure to perform the duties of his position in a satisfactory manner.

Violation: You failed to adhere to a court order directing you to appear in court on a particular day and at a specific time.

SPD 301.5 Appearance At Legal Proceedings.

IV. Procedure:

E. When a member has an unexcused absence from any proceeding for which he was given a subpoena or summons, the following procedure shall be initiated by his supervisor.

2. A second incident within a twelve month period shall be cause for a $50.00 fine.

Violation: You failed to adhere to a court order directing you to appear in court on a particular day and at a specific time.

Conduct required of employees of the Shreveport Police Department is quite clear in that you must perform to acceptable standards in accordance with all Municipal Fire and Police Civil Service Laws and Shreveport Police Department Rules and Regulations.

You were employed on March 13, 1995, and have received the following personnel action.

Supervisor's Action Reports:

Date of Action:	Date of Incident:	Type of Violation:
January 9, 1996	Same.	Missed Court.
August 12, 1996	Same.	Missed Court.
March 12, 1997	February 11, 1997	SPD 100.75 - Use of Force.

However, as a result of the stated violations, you are hereby issued a fine of **$50.00**, as provided by Section 16 of Article X of the Louisiana Constitution of 1974 and revised statutes 33:2471, et.seq; particularly R.S. 33:2500, paragraph (A), sub-paragraph (1), or take such disciplinary action as the circumstances warrant.

You are hereby advised that in accordance with local Municipal Fire & Police Civil Service Board policy:

Any regular employee in the classified service who feels that he has been discharged or subjected to any corrective or disciplinary action without just cause, may, within fifteen (15) days after receipt of the personnel action documentation, demand, in writing, a hearing and investigation by the board to determine the reasonableness of the action. The board shall grant the employee a hearing and investigation within thirty days, after receipt of the written request.

Furthermore, you are hereby advised that the attached comment(s) will be made a part of your personnel record with this Agency and that Louisiana Revised Statute 40:2533 provides:

A. No law enforcement officer shall have any comment adverse to his interest entered in his personnel file, or any other file used for any personnel purposes by his employer, without the law enforcement officer having first read and signed the instrument containing the adverse comment indicating he is aware of such comment, except that

such entry may be made if, after reading such instrument, the law enforcement officer refuses to sign it. Should a law enforcement officer refuse to sign, that fact shall be noted on that document and signed or initialed by such officer.

B. *A law enforcement officer shall have thirty (30) days, within which to file a written response to any adverse comment entered in his personnel file. Such written response shall be attached to and shall accompany the adverse comment.*

Respectfully,

Stephen W. Prator
Chief of Police

To The Employee:

Affixing your signature and the date below signifies that you have received this personnel action letter and, specifically, that you have read and understand the contents to include the local board appeal policy and LA R.S. 40:2533 Paragraphs A. and B. above.

B. Mason #341 5-27-97

Member's Signature Date Human Resources Officer Date

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