Shreveport
All-America City

Shreveport Police Department

1234 Texas Avenue
Shreveport, Louisiana 71101
web site: www.ci.shreveport.la.us/dept/police

SHREVEPORT POLICE

KEITH P. HIGHTOWER
MAYOR

F.M. "MIKE" CAMPBELL
CHIEF OF POLICE

September 7, 2005

Corporal Brent Mason
108 Miriam Lane
Shreveport, LA. 71106

Corporal Brent Mason,

This communication regards your Pre-disciplinary Conference held on August 24, 2005, reference to alleged violations of department rules and regulations occurring on May 19, 2005, and the action taken.

On May 19, 2005, while on duty, you were dispatched to 7131 Burlingame Street in reference to a suspicious activity. You had Officer Norman March and Officer Robert Gordon contact you on the Goodwill parking lot in reference to checking the house for a juvenile suspect, Rodrickis Taylor, whom you were looking for. Rodrickis Taylor escaped from the rear of your patrol car a few days previous to you being dispatched back to this residence. Another juvenile opened the door and let him out, when you started chasing another juvenile. You made a plan that Officer Gordon and Officer March would approach the residence from the rear and you would approach the residence from the front. You had made numerous calls to 7131 Burlingame Street, and knew when you pulled up to the front of the residence, juveniles would run out the rear of the residence. A juvenile ran out of the residence as you were pulling up to the residence, and you began chasing the juvenile as you believed him to be Rodrickis Taylor. The juvenile ran through the neighborhood, and towards some adults, who you thought were going to become aggressive towards you. You made the decision to use your taser and you shot the juvenile suspect in the back. After you placed the handcuffs on the juvenile and rolled him over, you realized the juvenile suspect was not Rodrickis Taylor as you had first thought. You later identified the juvenile as Clarence Dock. You did a general pat down on the suspect before placing him in the rear of your vehicle, but did not do a full search because the juvenile had urinated on himself. You later transported the juvenile to the Juvenile Detention Center. Later officials from the Juvenile Detention Center called and reported they had discovered a loaded handgun on juvenile Clarence Dock when he was being processed into the facility. The juvenile stated you never searched him to begin with and he had never urinated on himself. Investigators from IAB went to the Juvenile Detention Center and looked at the juvenile's clothes. Juvenile Dock had not requested his clothes be cleaned when he was booked into the facility, and the clothes were in a plastic bag. The clothes did not smell of urine, nor were they wet, when the investigator checked them out. They were sealed in the plastic bag the entire time. You did not activate your Mobile Video System until after you had apprehended Clarence Dock. Your actions in the above incident places you in violation of **SPD 606.13VI - Operation of Mobile Video Systems Equipment; SPD 606.25 - Muscular Disruption Unit; and SPD 601.01 IV.D.1.a, 3 - Arrests.**

On August 24, 2005, a Pre-disciplinary Conference to address the above violations was conducted by Assistant Chief of Police Glenn A. Schach. As a result of this conference, he sustained the violations, **SPD 606.25 - Muscular Disruption Unit; and SPD 601.01 IV.D.1.a, 3 - Arrests,** and determined your actions warranted personnel action in the form of a **Two (2) Day Fine (reduction in pay).** However, he did find the complaint reference to **SPD 606.13VI - Operation of Mobile Video Systems Equipment, Not Sustained.**

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: On May 19, 2005, you responded to a suspicious activity call at 7131 Burlingame Street. You were looking for a juvenile suspect, Rodrickis Taylor who escaped from your patrol car a few days previously. Upon your arrival, a juvenile who you thought was Rodrickis Taylor took off running and you chased after him. After chasing him towards sone adults, you decided to use your taser on the juvenile, and you shot him in the back. After handcuffing the juvenile and turning him over, you discovered that it was not Rdrickis Taylor. You later identified the juvenile as Clarence Dock. You did a general pat down on the suspect before placing him in the rear of your vehicle, but did not do a full search because the juvenile had urinated on himself. Later you transported him to the Juvenile Detention Center and booked him into the facility. A short time later, you were notified that they found a loaded gun on his person when they searched him.

SPD 606.25 - Muscular Disruption Unit

V. Procedures:

E. Use and Handling:

1. *The Muscular Disruption Unit use is authorized as a <u>response option where force equal to or greater than empty hand or impact force is authorized to bring a violent confrontation to a rapid resolution</u> with reduced risk of subject or officer injury. (RE: 601.10 Subject Management).*

Reference 601.10 - Subject Management

Excessive Force *II. The application of an unreasonable amount of force in a given incident based on the totality of the circumstances.*

5. Muscular Disruption Unit.

<u>The deployment of the muscular disruption unit force option will be reasonable and based on the totality of the circumstances known by the officer at the time</u>. The officer must be able to <u>justify a hard empty hand technique in order to deploy the muscular disruption unit.</u>

6. *Intermediate Control Techniques - (Hard Empty Hand) Techniques with a higher probability of injury.*

III. *The use of hard empty hand techniques may be used in some situations involving passive resistance and defensive resistance. However, these situations must include specific, objective, and articulative factors that would indicate that the use of other options would be ineffective or would involve an unreasonable risk to the officer or others. In these scenarios, the officer should use extreme discretion and base the decision upon the totality of the circumstances. Alone, these levels of resistance are not justification for hard empty hand techniques. Officers should use common sense.*

Violation: The totality of the circumstances in this incident is determined not to meet the mandated criteria which would justify your deploying your taser into Juvenile, Clarence Dock. You thought you were chasing Rodrickis Taylor, whom you only had a suspected status offense of truancy.

SPD 606.01 - Arrests

IV. Guidelines

D. Searches of Persons (General):

1. *When an officer makes an arrest, the officer has the right to search the person of the individual taken into custody. The officer may also search the immediate surrounding area from which the arrestee could destroy evidence or secure a weapon. Searches **shall** be conducted when:*

   a. ***The person has committed or is suspected of having committed a crime***

3. All prisoners shall be searched prior to being transported from the scene.

Violation: Before placing the juvenile, Clarence Dock, into the rear of your patrol car, you stated you did a general pat down on the juvenile, but not a full search because he had urinated on himself. When the juvenile was processed into the Juvenile Detention Center a loaded handgun was found on his person. Juvenile Dock stated you did not search him at all, and he did not urinate on himself

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 & Regulations.

You were employed by the Shreveport Police Department on March 13, 1995, and have received the following discipline in the last seven years.

Date of Incident	Date of Action	Violation and Type of Discipline
February 2000 & May 2000	May 10, 2001	**SPD 100.68 - Incompetence; SPD 100.62 - Neglect of Duty; Five (5) Day fine, (reduction in pay).**
April 2001	August 27, 2001	**SPD 301.01 - Absenteeism; Letter of Reprimand.**
12/02 - 2/03	April 28, 2003	**SPD 403-05, IV, C, 3 - Computers, Laptop Computers, Mobile Data Computers, Electronic Mail, E-Mail, Computers, Use Of; Three (3) Day Fine, (reduction in pay).**
November 2, 2004	February 17, 2005	**SPD 403-05, IV, C, 3 - Computers, Laptop Computers, Mobile Data Computers, Electronic Mail, E-Mail, Computers, Use Of; Three (3) Day Fine, (reduction in pay).**

However, as a result of the stated violation, you are hereby issued **a Two (2) Day Fine (reduction in pay)**, as provided by Section 16 of Article X of the Louisiana Constitution of 1974, and revised statues 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 purpose 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, that fact shall be noted on that document and signed 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,

F.M. (Mike) Campbell
Chief of Police

FMC/jpb

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Human Resources Officer Date