State Police Commission

Post Office Box 66555
Baton Rouge, LA. 70896-6555
Phone (225) 925-7057
Fax (225) 925-7058

Cathy J. Derbonne
Director

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Honorable Senator Jack
Chairman
Commission on Streamlining Government
P.O. Box 44481
Baton Rouge, Louisiana 70804

Dear Senator Donahue:

As requested in your correspondence of August 28, 2009, we are pleased to provide the following information to the Commission.

Section One: Agency Overview

The State Police Commission is one agency, one program and one activity. The State Police Commission was created by Article 10 Sec. 43 of the Louisiana Constitution, effective January 1, 1991. Its function is to provide for the administration and regulation of the Classified State Police Service as set forth in Article 10, Sec. 49 of the Constitution.

The Classified State Police Service is composed of all classified regularly commissioned full-time law enforcement officers employed by the Department of Public Safety and Corrections, Office of State Police, as further defined in Article 10, Sec. 41 of the Constitution."

The mission of the Administration program is to provide a separate merit system for the commissioned officers of Louisiana State Police. In accomplishing this mission, the program administers entry-level cadet examinations and promotional examinations, process personnel actions, issue certificates of eligibles, schedule appeal hearings and pay hearings.

The goals of Administration Program are as follows:

I. Appeals – merit system, the State Police Service Article, the State Police Commission Rules, existing jurisprudence and equity and improve the appeal and discipline process.

II. Personnel Management – promote effective personnel management practices for the Office of State Police, to check and enforce compliance with State Police, performs investigations, reviews contracts, reviews and accepts or denies performance appraisal programs, and issues general circulars and transmittals.

III. Classification and pay – maintain an equitable and uniform pay system for all Louisiana State Police commissioned officers. Established positions, recommends pay adjustments and allocate positions.

IV. Examining – enable the Office of State Police to meet their staffing needs in a timely fashion by hiring and promoting the best qualified applicants. Tests and certifies applicants for employment by the Office of the State Police.

The principal clients and users of the State Police Commission are commissioned Louisiana State Troopers and members of the public interested in becoming a Louisiana State Trooper. This would include applications taken on a nationwide basis. The application process is not limited to Louisiana residents but open to all who meet the minimum qualifications for the written test. Attorneys representing appellants in disciplinary hearings are also a part of the client population served. These attorneys work directly with the State Police Commission in all phases of the administrative hearing process.

Section Two: Efficiency and Benchmarking

Louisiana State Police Commission has no under-performing programs that should be overhauled or eliminated. The State Police Commission is one agency, one program and one activity.

Section Three: Outsourcing and Privatization

The office outsourced the Computer Programming Services contract that implemented and maintained application programs to operate on a local network for the Trooper and Cadet systems, in Fox Pro language, to run on office networks. Both the Trooper and Cadet systems are customized Fox-Pro programs used to accommodate the functions of a merit system such as, employee and applicant data, testing history, current test information, and availability status for employees and applicants. Services will be supported on an as need basis by the Department of Public Safety IT Specialist. The annual cost for a contractor to provide these services would have been a minimum of approximately $10,000 per fiscal year.

Section Four: Information Technology Integration

Louisiana State Police Commission does not currently have any IT personnel.

Section Five: Elimination of Duplicative and Unnecessary Services

Duplication of effort shall be avoided by no other civil service system handling any matters pertaining to commissioned Louisiana State Troopers.

Section Six: Civil Service and Employee Benefits

The State Police Commission is to hear classified commissioned officers' complaints stemming from disciplinary actions and provide decisions that are consistent with the basic requirements of a merit system, the State Police Service article, the State Police Commission rules and existing jurisprudence. Promote effective personnel management practices for the Office of State Police to check and enforce compliance with State Police Commission rules, and to provide assistance with federal and state laws as appropriate or designated. Review, develop and implement State Police rules, conduct investigations, review contracts, review performance appraisal programs and issue general circulars and transmittals. Maintain an equitable and uniform pay system for all Louisiana State Police commissioned officers. Establish new positions and recommend pay adjustments. Enable the Office of State Police to meet their staffing needs by testing and certifying candidates for initial employment and also for promotions. Statutory authority for goals: LA Constitution, Article X, Part IV, section 41-51.

Section Seven: Studies and other Resources

Louisiana State Police Promotional Exam Analysis Technical Report by Sharon S. Naquin, PhD was designed to validate proposed test items and create the final written promotional examinations for the ranks of Sergeant, Lieutenant, and Captain within the Louisiana State Police (LSP) for test administration in May 2009 with a subsequent date for 'make up' examinations.

Section Eight: Agency Best Practices

The chief product of the State Police Commission is to conduct fair and impartial due process administrative hearings and Knowledge, Skills and Abilities (KSA's) linked entry and promotional examination for Louisiana State Troopers. We are currently reporting the number of appeals filed, number of hearing conducted, back-log number of cases and length of time from filing the appeal to the time a decision is rendered. Once a case is docketed or heard, either party may withdraw the request for hearing and request to enter into a settlement conference. Hence, the performance indicator of the number of hearings docketed or decisions rendered is not within the State Police Commission's control. In order for a decision to be rendered, we must obtain the signatures of all participating Commission members in that decision. The commission meets on a monthly basis and there are times when decisions are given to the Commission at one meeting and concurrences are not obtained until the next monthly meeting. Also, if there is a problem with a decision, the members may need to meet with the Referee again and have some revisions made or further discuss other points of law or a further review of evidence submitted. Fairness, impartiality and constitutional due process are not measurable nor time bound. Another immeasurable quality is the perception of the parties when a decision is not rendered in their favor, which is to be expected, therefore, all commission decisions are subject to review by the Court of Appeals, First Circuit.

When an application is filed with the State Police Commission for the position of Louisiana State Police Cadet, it is our goal to process all applications on a daily basis and schedule and respond to applicants by mail the same day with additional documentation requests or a scheduled test date for the next available examination date. The same is true for promotional applicants whom we test once per year, with three subsequent examinations during the year for only applicants meeting the qualifications since the last test date. When an appeal is filed, all attempts are made to ensure the parties of an orderly adjudication conducted by an independent and impartial Commission. The hearing is normally set for the first available hearing date.

Please contact me if you have any questions or comments regarding this matter.

Respectfully,

Cathy Derbonne, M Ed
Executive Director