

**MUNICIPAL FIRE AND POLICE CIVIL SERVICE  
LAFAYETTE, LOUISIANA  
300 N. DUGAS RD  
LAFAYETTE, LA 70507  
(337) 291-8762**

A meeting of the Lafayette Municipal Fire and Police Civil Service Board was held on May 8, 2024 at 9:00 a.m. in the Lafayette Consolidated Government Civil service testing room, 705 West University Avenue, Lafayette, Louisiana. Audio recording of this meeting will become part of the Board's permanent records.

Present at the meeting were Chairman Ron Clark, Vice Chairman L. Wayne Prejean, Christina Olivier, Charley Whipp III, Board Attorney Candice Hattan, Lance Boudreaux, Board Secretary Mary Francis, Katie Gagliano

Board member Dwight Prudhomme was not present for the meeting.

Meeting called to order at 9:00 a.m. and opening statement read by Chairman Ron Clark.

1. Board authorization to approve minutes of March 13, 2024 board meeting

Motion was made to approve minutes of March 13, 2024 board meeting by L. Wayne Prejean

Motion seconded by Charley Whipp III

Public comment: None

Opposition: None

Motion carried unanimously

2. Board authorization to approve posting notices for Police Lieutenant, Fire Prevention Chief, Fire Investigator II, Fire Training Chief, Fire Engineer, Fire Records Clerk, and Fire Records Clerk II

Motion was made to approve applications by Christina Olivier

Motion seconded by L. Wayne Prejean

Public comment: None

Opposition: None

Motion carried unanimously

3. Board authorization to approve scores for Police Sergeant and Departmental Records Clerk (Police)

Motion was made to approve transfer by Christina Olivier

Motion seconded by L. Wayne Prejean

Public comment: None

Opposition: None

Motion carried unanimously

4. Board authorization to approve Removal of Names List, if any

Fire Department:

Collignon, Steven E.

Green, Tonia R.

Phillips, Alton J.

Motion was made to approve request by L. Wayne Prejean

Motion seconded by Charley Whipp III

Public comment: None

Opposition: None

Motion carried unanimously

5. Request to discuss Lafayette Police Department rank and file of college hours, Sr. Cpl. David Stanley

Chairman Clark made a statement that he was contacted by Sr. Cpl David Stanley informing him of his unattendance, deferring this agenda item to a future meeting.

6. Board approval of withdrawal of appeal of P.O. Cameron A. Cormier

Motion was made to approve request by Christina Olivier  
Motion seconded by L. Wayne Prejean  
Public comment: None  
Opposition: None  
Motion carried unanimously

7. General Board business, if any –

Chairman Clark requested that an agenda item be added to the meeting to approve exam scores for Fire Captain, Fire Assistant Chief, Police Major, District Fire Chief, and Fire Training Officer.

Board attorney, Ms. Hattan informed the board that the item can be added with a brief explanation for the record of why the approval could not wait for next month's meeting.

Board member Charley Whipp III mentioned a vacant Fire Training Officer position that will be filled once the scores are approved. Chairman Ron mentioned that the Police Department requires a permanent Police Major. He noted that the only person who could be promoted to the position is currently in a provisional status and would need to have their exam score approved.

3a. Motion to add agenda item to approve of scores for Fire Captain, Fire Assistant Chief, Police Major, District Fire Chief, and Fire Training Officer

Motion was made to add agenda item by Chairman Ron  
Motion seconded by L. Wayne Prejean  
Public comment: None  
Roll was called with Christina Olivier, Charley Whipp III, L. Wayne Prejean, and Ron Clark all voting yes.  
Opposition: None  
Motion carried unanimously

Chairman Ron Clark opened the envelop to approve the scores

3b. Motion to approve scores for Fire Captain, Fire Assistant Chief, Police Major, District Fire Chief, and Fire Training Officer

Motion was made to approve scores by Christina Olivier  
Motion seconded by L. Wayne Prejean  
Public comment: None  
Roll was called with Christina Olivier, Charley Whipp III, L. Wayne Prejean, and Sgt. Ron Clark all voting yes.  
Opposition: None  
Motion carried unanimously

Board attorney, Ms. Hattan, mentioned her purchase of a time clock similar to the ones used by the clerk's office for the Board. The board expressed their gratitude for her purchase. Board member Charley Whipp III asked for more details about purchasing iPads for the board. Chairman Ron confirmed that he had recently completed an Add user form to approve purchasing requisitions.

8. Report of Counsel or legal updates, if any –

Board attorney, Ms. Hattan, provided an update on two pending appeals: Tommy A.'s termination and the Johnston appeal. In both of the cases, the appellants are represented by Attorney Danny Landry.

Mr. Landry requested that any hearings in these two appeals be continued until after June, since he will be out of the country on vacation. Ms. Hattan did not object to accommodating Mr. Landry's schedule.

Ms. Hattan briefed the Board on the legal arguments raised by the appellants in each case. She noted that in the Tommy A. appeal, Mr. Landry advised that emphasis will be placed on the argument that the Board did not consider the difference between on duty and off duty conduct, or the fact that in this case, the standard would be high because the majority of the conduct forming the basis for the termination took place off duty.

Ms. Hattan also briefed the Board on a procedural issue that arose in connection with this appeal. Specifically, when the Board secretary provided the appeal file to counsel to lodge with the District Court, there was a loose DVD in the file folder. It was not marked as an Exhibit. In reviewing her hearing notes, she did not see any notation regarding a formal offering of this DVD during the hearing, so she contacted the Board secretary to double check as to whether this DVD had been accepted as an Exhibit at the hearing. She was advised that the City Attorney, Mr. Corry, had provided the DVD to the Board secretary after the hearing had ended, asking that it be included in the record.

Ms. Hattan then contacted opposing counsel, Mr. Landry, to advise him of this situation, and to confirm that it would not be lodged with the District Court with the record because it had not been properly offered and admitted at the hearing. She reminded the Board that only evidence properly offered, filed and introduced into the record during the hearing gets lodged with the record – that attempting to ‘add’ exhibits by handing them to the Board secretary after the hearing is over is improper.

Ms. Hattan further briefed the Board on a matter requiring clarification. In connection with the appeals, a self-styled “Joint Motion” (which means a Motion that has been presented to and agreed upon by all counsel) came across her desk, bearing only signature lines for Mr. Corry and Mr. Landry. Board counsel had not seen this Joint Motion previously. The Motion reflected that Mr. Corry signed it as counsel representing the Fire and Police Civil Service Board. Board counsel formally notified counsel that Mr. Corry did not represent the Board and that the Motion would have to be redrafted to correct the record. This was handled appropriately. There does remain an issue that Mr. Corry has also repeatedly represented to the District Court as counsel representing the “Lafayette Police Department”. Ms. Hattan submitted to the Board that in fact, he represents the Appointing Authority – LCG-- and the “Lafayette Police Department” is neither a legal entity nor a party to the litigation. Such a representation further suggests that the entirety of the police department has taken a position adverse to appellants, which is inappropriately misleading to the Court.

In the Johnston case, Ms. Hattan advised the Board that insofar as Mr. Landry had not personally participated in prior meetings in which the Board discussed this case, she provided additional documentation to Mr. Landry in an effort to give him a more complete understanding of the issues and discussions involved.

Sgt. Clark asked for a legal briefing on a recent US Supreme Court case involving a female sergeant in the St. Louis police department who brought suit after being transferred within the department. Historically, department transfers are not appealable, and this case initially appeared to change that policy.

Ms. Hattan clarified, however, that the Supreme Court case was not in the context of civil service law, but rather it presented a cause of action arising from a violation of Title VII of the Civil Rights Act. This law prohibits employers from discriminating against employees based upon race, color, national origin or sex. In this case, the female plaintiff/employee held the position of commander of the intelligence division, with FBI status and clearance. Her supervisor transferred her out of this division, however, expressly because he wanted to put a man in the position.

The District Court ruled that the plaintiff did not have a cause of action because her rank and pay remained the same and so the transfer fell within the discretion of her supervisor.

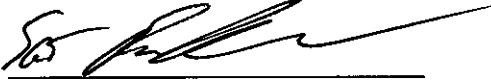
The Supreme Court ruled, however, that any detriment, however minor, could form a basis for a claim for harm arising from a Title VII violation. In this case, the appellant was able to show that by transferring her, she lost her FBI status and her eligibility for weekend work.

Therefore, the bottom line was that the Supreme Court reversed, and ruled that harm – however small – will support a cause of action when there is a threshold showing of a Title VII violation.

Chairman Clark also asked Ms. Hattan to brief the status of the lawsuit filed against the Board arising from the recent shooting death of a citizen by a police officer. Ms. Hattan advised that she sees no viable claim for this wrongful death action as against the Board, but that to her knowledge, no service of the suit has been perfected on the Board as yet. And when the suit is served, she will file all appropriate pleadings to defend the Board.”

9. Public Comment - None

Motion to adjourn by Christina Olivier  
Motion seconded by L. Wayne Prejean  
Public comment: None  
Motion carried unanimously  
Meeting adjourned at 9:47 am



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Ron R. Clark  
Chairman