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March 18, 2024

In Re: Appeal of Russell Brue
(Department of Public Safety and Corrections,
Office of State Police)

State of Louisiana
State Police Commission
Docket No. 23-270-T


NOTICE

To: Colonel Robert Hodges
Post Office Box 66614
Baton Rouge, Louisiana 70896

Steven Stockstill
DPS - Legal Affairs
Post Office Box 66614
Baton Rouge, Louisiana 70896

Ginger Krieg
Human Resources Director
Post Office Box 66614
Baton Rouge, Louisiana 70896

Eric J. Hessler
320 N. Carrollton Avenue
Suite 202
New Orleans, LA 70119

Russell Brue


M. Lenore Feeney
Taylor, Porter, Brooks, & Phillips
P.O. Box 2471
Baton Rouge, LA 70821

Dear Gentlemen and/or Mesdames:

You are hereby served with a copy of the settlement agreement in the above appeal, which agreement was approved by the Commission on March 14, 2024, pursuant to Rule 13.22. This constitutes the final disposition of the appeal.

Sincerely,

Jason Hannaman, PHR, SHRM-CP
Executive Director

Attachment

RUSSELL BRUE

DOCKET NO. 23-270-T

VERSUS

STATE POLICE COMMISSION

**LOUISIANA DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS
PUBLIC SAFETY SERVICES**

**PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA**

JOINT SETTLEMENT AGREEMENT

NOW BEFORE THIS COMMISSION, making a joint appearance through undersigned counsel, comes Russel Brue and the State of Louisiana, Department of Public Safety and Corrections, Public Safety Services, Office of State Police (LSP), who respectfully submits the following Joint Settlement Agreement regarding **DOCKET NUMBER 23-270-T**.

1.

On May 22, 2023, Russel Brue signed for receipt of a letter from Colonel Lamar A. Davis, Appointing Authority and Superintendent of the Louisiana State Police, notifying Mr. Brue that his employment with the Louisiana State Police was terminated effective May 22, 2023.

2.

The Appointing Authority disciplined Mr. Brue for violating seven LSP policies, namely: DPS Section 03.01.10, LaGov Time Entry; Louisiana Revised Statutes (La R.S.) 14:138, Payroll Fraud; LSP Procedural Order (P.O.) 901-3, Conformance of Laws; LSP P.O. 901-11, Neglect of Duty; LSP P.O. 214-3, Domestic Violence Mandatory Notification; LSP P.O. 901-15, False Statements; LSP P.O. 901-4, Conduct Unbecoming an Officer; LSP P.O. 242-2, Vehicle Use, Maintenance and Repair; and LSP P.O. 223-5, Firearms.

3.

Mr. Brue appealed his discipline in a timely fashion.

4.

In final resolution of this matter, all parties hereto agree as follows:

A. Russell Brue hereby formally tenders his resignation effective retroactively to May 22, 2023, with all Brue and effect applicable retroactively to that same date

B. The State of Louisiana, Department of Public Safety and Corrections, Public Safety Services Office of State Police hereby accepts Russell Brue's resignation in lieu of termination

5.

Mr. Brue hereby irrevocably withdraws his appeal of the discipline regarding **DOCKET NUMBER 23-270-T.**

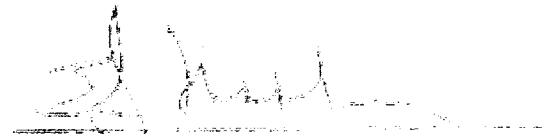
6.

The parties hereby respectfully request that this Honorable Commission approve this Joint Settlement Agreement.

7.

Attached hereto is the signed acknowledgment of Master Trooper Russell Brue agreeing to the terms of this Settlement Agreement (see attached Exhibit A).

Respectfully Submitted



Eric J. Hessler
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(504) 942-2450 (Fax)
hessler.law@gmail.com

8.

Louisiana Department of Public Safety
Public Safety Services
Office of State Police
General Counsel Jason Hessick
jason.hessick@la.gov

George Hardy, Bar Roll No. 38012
Attorney for State of Louisiana
Dept. of Public Safety & Corrections
Public Safety Services, Office of State Police
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Baton Rouge, LA 70896
(225) 922-0671 Phone, (225) 925-4614 Fax
george.hardy@la.gov

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Approval of Joint Settlement Agreement has been served on all counsel of record on this _____ day of _____, 2024.

George Hardy

RUSSELL BRUE

DOCKET NO. 23-270-T

VERSUS

STATE POLICE COMMISSION

**LOUISIANA DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS
PUBLIC SAFETY SERVICES**

**PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA**

**ACKNOWLEDGEMENT AND AGREEMENT
WITH TERMS OF JOINT SETTLEMENT AGREEMENT**

I, Russell Brue, do hereby acknowledge and agree to the lawfully binding terms of the Joint Settlement Agreement, in their entirety, filed on my behalf with the Louisiana State Police Commission in **DOCKET NUMBER 23-270-T**.

More specifically, I acknowledge that on May 22, 2023, I signed for receipt of a letter from Colonel Lamar A. Davis, Appointing Authority and Superintendent of the Louisiana State Police (LSP), notifying me that my employment with the Louisiana State Police was terminated effective May 22, 2023.

The Appointing Authority disciplined me for violating seven LSP policies, namely: DPS Section 03.01.10, LaGov Time Entry; Louisiana Revised Statutes (La R.S.) 14:138, Payroll Fraud; LSP Procedural Order (P.O.) 901-3, Conformance of Laws; LSP P.O. 901-11, Neglect of Duty; LSP P.O. 214-3, Domestic Violence Mandatory Notification; LSP P.O. 901-15, False Statements; LSP P.O. 901-4, Conduct Unbecoming an Officer; LSP P.O. 242-2, Vehicle Use, Maintenance and Repair; and LSP P.O. 223-5, Firearms.

I lodged an appeal of my discipline in a timely fashion.

I hereby agree to resolve my appeal as follows:

A. The termination imposed as discipline for violating the foregoing LSP policies is rescinded. The record of termination imposed as discipline will be expunged from my personnel, Internal Affairs and departmental record.

B. The Louisiana, Department of Public Safety and Corrections, Public Safety Services, Office of State Police has agreed to accept my "Resignation in Lieu Of Termination", which I do hereby file contemporaneously in the form of a Joint Settlement Agreement.

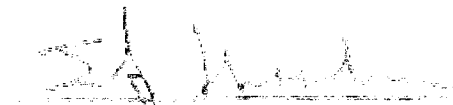
I have read and understand the form and content of the provisions set forth in the Joint Settlement Agreement. I have had sufficient time to deliberate and consult with my attorney regarding the terms thereof. In consideration of the foregoing terms, and in accordance with the Joint Settlement Agreement, bargained for in good faith, I hereby irrevocably withdraw my appeal of the discipline in **DOCKET NUMBER 23-270-T**. I hereby respectfully request the Honorable Louisiana State Police Commission approve the Joint Settlement Agreement to which this attachment is appended.



Russell Brue

Date:

I, hereby certify that Russell Brue signed the foregoing Acknowledgement and Agreement with Terms of the Joint Settlement Agreement during my representation as his attorney.



Eric J. Hessler

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RUSSELL BRUE

DOCKET NO. 23-270-T

VERSUS

STATE POLICE COMMISSION

**LOUISIANA DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS
PUBLIC SAFETY SERVICES**

**PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA**

**MOTION FOR APPROVAL OF
JOINT SETTLEMENT AGREEMENT**

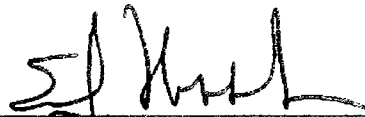
NOW COMES, Russell Brue and the Louisiana Department of Public Safety and Corrections, Public Safety Services, Office of Louisiana State Police, and submits the following motion regarding DOCKET NUMBER 23-270-T.

1.

The parties hereto have agreed by consent to settle the above styled matter, subject to approval of this Honorable Commission. The Joint Settlement Agreement has been memorialized, executed and is being filed contemporaneously herewith.

Movers now pray for consideration and approval of the aforementioned settlement agreement.

Respectfully Submitted:



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PUBLIC SAFETY SERVICES


PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

ORDER


Considering the motion, evidence, and representations of counsel, the foregoing Motion for Approval of Joint Settlement Agreement is hereby: Approved Denied



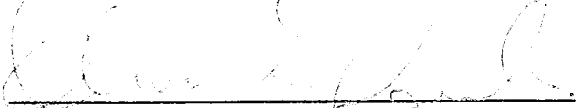
Commissioner Eulis Simien, Jr., Chairman



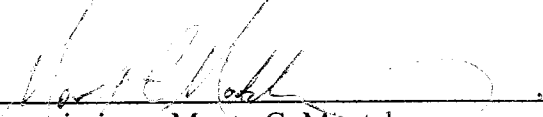
Commissioner Ross Bourgeois



Commissioner Mark "Aubrey" Cole




Commissioner Oliver G. Jenkins



Commissioner Monty C. Montelongo



Commissioner Tony P. Pierite



Commissioner Jared J. Caruso-Riecke

RUSSELL BRUE

DOCKET NO. 23-270-T

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PUBLIC SAFETY SERVICES

PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

**MOTION AND ORDER FOR APPROVAL OF
WAIVER OF REIMBURSEMENT OF USED TIME**

NOW COMES, Russell Brue and the Louisiana Department of Public Safety and Corrections, Public Safety Services, Office of Louisiana State Police, and submits the following motion regarding **DOCKET NUMBER 23-270-T**.

1.

During the course of the investigation of the disciplinary matter at question, Russell Brue was placed on administrative leave. On March 23, 2023, Russell Brue exhausted the 400 hours of administrative leave and began using accrued overtime hours (K-time). From March 23, 2023, through May 22, 2023, Russell Brue used 336 hours of K-time.

2.

Russell Brue acknowledges that the 336 hours of used K-time were used by him during the investigation and subsequent Loudermill process per Louisiana State Police Commission Rule 12.4. He further acknowledges that, whereas he received compensation upon separation for his unused annual leave and time and a half overtime hours, he is not entitled to compensation for any unused K-time hours.

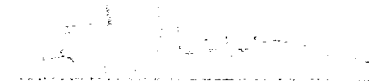
3.

Russell Brue waives any right or action for reimbursement of the 336 hours of used K-time.


The parties hereto have agreed by consent to settle the above styled matter, subject to approval of this Honorable Commission.

Movers now pray for consideration and approval of the aforementioned settlement agreement.

Respectfully Submitted:


Eric J. Hessler
Attorney for Russell Bruce
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Louisiana Department of Public Safety
Public Safety Services
Office of State Police
General Counsel Jason Hessick


Jason Hessick, Bar Roll No. 32156
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**WAIVER OF REIMBURSEMENT OF
USED ACCRUED OVERTIME HOURS**

I, Russell Brue, waive any right or action for reimbursement regarding 336 hours of accrued overtime hours used while on administrative leave pending investigation. I am signing this waiver with full knowledge and understanding, and after receiving advice from counsel.

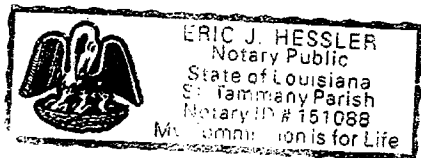


Russell Brue

Sworn to and subscribed before me, on this the 11th day of March, 2024, in COUNTOUR, Louisiana.



Notary Public
My Commission is for: life



ERIC HESSLER

Printed Name

RUSSELL BRUE

DOCKET NO. 23-270-T

VERSUS


STATE POLICE COMMISSION

LOUISIANA DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS
PUBLIC SAFETY SERVICES

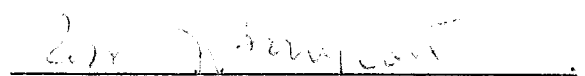
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

ORDER

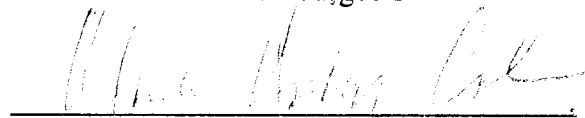
Considering the motion and representations of counsel, the Waiver of Reimbursement of Used Accrued Overtime Hours is hereby: Approved Denied.



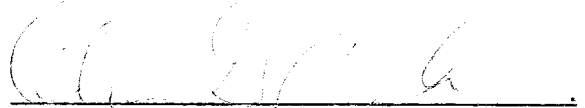
Commissioner Eulis Simien, Jr., Chairman




Commissioner Ross Bourgeois




Commissioner Mark "Aubrey" Cole



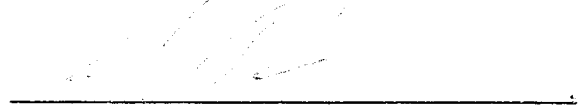
Commissioner Oliver G. Jenkins



Commissioner Monty C. Montelongo



Commissioner Tony P. Pierite



Commissioner Jared J. Caruso-Riecke