

To: The Louisiana State Police Commission: The following written presentation to the Commission at its June 9, 2022 meeting is to supplement my "... formal charges and request for investigation and exercise of empowerment" which, although dated February 14, 2022, were perfected on the 18th, when a Commission employee picked up and signed for the Commission's mail in the Commission's Post Office Box in Baton Rouge, La. Part and parcel to my formal charges, etc. are nine (9) separate Exhibits, which are critical to my evidence. Those Exhibits were marked for identification as "AROD Exhibit Nos.1 through 9." There also are four (4) Exhibits to this written presentation, which are marked for identification as "AROD Exhibit Nos. 10 through 13," and which also are critical to my evidence.

I. PREAMBLE.

(1) Thank you for giving me the opportunity to address the Commission, which I recognize is a privilege, not a right.

(2) I want to begin my presentation by saying that I believe I owe each of you "an apology." Because of what was done to me by "F Troop," by other State law enforcement officers, and by other State (and private) actors on September 20, 2005, almost 17 years ago, and since then, I am "a very angry man." However, when I re-read my February 14, 2022 "... formal charges and request for investigation and exercise of empowerment," I believe that some of the points I tried to make may have been a little too "confrontational." For that I apologize.

(3) I do not know any of you, personally. But if you did not have "stellar" accomplishments and credentials, you would not be Commissioners of this august body. Please believe me when I say that I assume each of you to be "an honourable man" (with deference to William Shakespeare in "Julius Caesar"), who will continue to do his (or her) sworn duty to "... support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent on me as: [a Commissioner Member of the Louisiana State Police Commission] according to the best of my ability and understanding, so help me God."

II. WHY AM I APPEARING BEFORE YOU TODAY?

(4) By missive dated April 29, 2022, I was advised by Executive Director Hannaman that "... your complaint will be placed on the June 9th agenda of the State Police Commission for consideration under SPC Rule 16.5." Thereafter, I made a timely "Rule 2.15 Request for Opportunity to Address the Commission at June 9th Meeting," following which Mr. Hannaman advised by missive dated June 2, 2022 that: "The commissioners, at the meeting, will determine whether or not to permit additional time beyond the customary 5 minutes." In the same missive Mr. Hannaman also advised that: "... your request for investigation pursuant to SPC Rule 16.5, will be on the June 9th agenda."

(5) Accordingly, since I do not know if I will be granted more than "the customary 5 minutes" to orally address the Commission, this written presentation is made to the Commission so that certain factual and legal issues that I believe need to be addressed are available to the Commissioners prior to going "in executive session" for consideration of my "... complaint ... under SPC Rule 16.5."

III. MY PURPOSE IS NOT TO REHASH EVENTS THAT OCCURRED ALMOST 17 YEARS AGO.

(6) What was done to me by "F Troop," by other State law enforcement officers, and by other State (and private) actors on September 20, 2005 was horrible, but not as horrible as what was done to Ronald Greene by F Troop on May 10, 2019. Although I was "crippled," I survived my encounter with "F Troop." Ronald Greene did not survive.

(7) And although I am not here to rehash events of almost 17 years ago, some knowledge of what was done to me is necessary to put what follows in proper context. I already have provided the Commission with the underlying facts of my abduction, brutalization, torture and false imprisonment on September 20, 2005, which left me crippled and which violated my constitutional rights. See Paragraph No. 3 of my February 14, 2022 " ... formal charges and request for investigation and exercise of empowerment," as well as "AROD Exhibit No. 1" ancillary thereto, paragraph no. 3 and the referenced "links."

(8) For present purposes, I believe it is enough that the Commission has been made aware of the fact that what was done to me was completely "wrongful" and in violation of my civil rights. See Paragraph No. III(7), supra, as well as Paragraph No. 4 of my formal charges, etc. (There is a typographical error in that paragraph; the statutory reference should be to "42 U. S. C. Section 1983," not Title 18). If I had been a convicted murderer, armed robber, kidnapper or rapist, I would not have deserved the rough treatment that was inflicted on me at my home and thereafter by State law enforcement officers. I also believe that the Commission should understand that "what went down" at 6034 St. Charles Avenue, New Orleans, La. 70118. commencing at 5 minutes past midnight on September 20, 2005, was NOT "a lawful arrest," but rather was a criminal gangland-style pre-meditated "HIT."

(9) I also believe that the Commission should be aware of the fact that in the past "almost 17 years," and notwithstanding "beaucoup" Louisiana Public Records Act requests and judicial and quasi-judicial proceedings with the Louisiana State Police, the LSP has provided me with a grand total of only two names and one scrap of paper referencing my so-called "arrest" in September 2005. The "names" were: (1) Trooper John Nelson, Badge Number 2227 of "F Troop" from Monroe, La. ("Unit No. F-60"), and (2) Sergeant Christopher Ivey, Badge Number 1139, who was identified as "Police Supervisor," a role which Ivey, who is now Chief Deputy Sheriff for the Jefferson Davis Parish Sheriff's Department, denies. Two names and one scrap of paper in almost 17 years could be attributed to "the Blue Code of Silence." However, I attribute the paucity of information to "predicate acts," "a pattern of activity or behavior," "standard operating procedure," "modus operandi" ("M. O."), and "COVER-UP." See infra. And I aver that it is "no coincidence" that the Louisiana State Police (through Colonel Davis, Gail Holland and Captain Manale) is "in default" with respect to my most recent "Louisiana Public Records Act Request (as amended)," dated February 5, 2022, which bears LSP Item No. OLA-076476. In short, I'm being "stonewalled," again, which is their M. O.

(10) The Commission should also know that by E-mail dated May 26, 2022 @ 12:35 PM, Captain Nick Manale of the Louisiana State Police Public Affairs Unit, who is often described in the media as "a State Police spokesman," informed me that "Trooper John Nelson" and "Sergeant John Nelson," Badge Number 2227 are one and the same person and that he is "still employed by LSP." That means, of course, that "Trooper John Nelson" (which was the ONLY name identified to me as being at my home at 5 minutes past midnight almost 17 years ago) is within the jurisdiction of the Commission, a fact that was not known by me prior to May 26, 2022 and receipt of the referenced the E-mail from Captain Manale.

(11) I also respectfully submit that another fact relevant to the Commission's Rule 16.5 deliberations while "in executive session" is the fact that one of the Repondents, Major Catherine Flinchum, was a Sergeant assigned to the Louisiana State Police Public Affairs Unit following Hurricane KATRINA and acted in the capacity of "spokesperson" for the LSP in many post-KATRINA media interviews. I aver, upon information and belief, that then-Sergeant Flinchum would have had personal knowledge of what probably constituted the "most high-profile arrest" of a New Orleans citizen by the LSP following Hurricane KATRINA, if not the most high profile arrest of Nelson's entire law enforcement career. (During a recent telephone conversation Captain Manale also advised me that "Major Flinchum resigned," a fact that was previously unknown to me).

IV. AUTHORITY NO LESS COMPELLING THAN THE SUPREME COURT OF THE UNITED STATES HAS SAID THAT " ... THE POLICEMAN IS EITHER RESPONSIBLE TO THE STATE OR TO NO ONE." Gardner v. Broderick, 88 S. Ct. 1913, 1916 (1968).

(12) In the celebrated case of Broderick v. Gardner, 88 S. Ct. 1913 (1968), the Supreme Court of the United States stated that:

" ... [a policeman] is directly, immediately, and entirely responsible to the city or State which is his employer. He owes his entire loyalty to it. He has no other 'client' or principal. He is a trustee of the public interest, bearing the burden of great and total responsibility to his employer. Unlike the lawyer who is directly responsible to his client, the policeman is either responsible to the State or to no one." 88 S. Ct. at p. 1916.

V. ACCORDINGLY, AND CONSIDERING THE VERY BROAD GRANT OF POWERS VESTED IN THE COMMISSION BY ARTICLE X, Part IV, SECTIONS 43 AND 48 OF THE LOUISIANA CONSTITUTION OF 1974, I RESPECTFULLY SUBMIT THAT THE COMMISSION HAS ORIGINAL JURISDICTION TO INVESTIGATE "THE OFFICE OF STATE POLICE" AND TO ADJUDICATE CASES OF CRIMINAL MISCONDUCT BY STATE POLICEMEN, PARTICULARLY IN THIS CASE, WHERE THE SO-CALLED "APPOINTING AUTHORITY" WAS ONE OF THE WRONGDOERS AND COMPLETELY ABROGATED HIS DUTIES AND RESPONSIBILITIES BY FAILING TO ACT.

(13) Article X, Part IV, Section 48(A)(1) specifically provides that:

"The commission is vested with broad and general rulemaking and subpoena powers for the administration and regulation of the classified state police service, including the power to adopt rules for regulating the employment, promotion, demotion, suspension, reduction in pay, removal, certification, qualifications, political activities, employment conditions, compensation and disbursements to employees, and other personnel matters and transactions; to adopt a uniform pay and classification plan; to require an appointing authority to institute an employee training and safety program; and generally to accomplish the objectives and merit system of state police service as herein established.

(14) Article X, Part IV, Section 48(4)(B) specifically provides that:

"The commission may investigate violations of this Part and the rules, statutes, or ordinances adopted pursuant thereto."

(15) And the Rules promulgated by the Commission are not mere "guidelines" or "recommendations." To the contrary, the Commission's Rules " ... shall have the effect of law." More particularly, Article X, Part IV, Section 48(A)(4) specifically provides that: "Rules adopted pursuant hereto shall have the effect of law and shall be published and made available to the public." [And just "wait" until you study the broad power conferred by the second sentence of Rule 16.5(a), which is discussed infra at Paragraph No. XIII(46)].

(16) The above-quoted provisions of the Louisiana Constitution of 1974 are echoed in the Commission's own "Strategic Plan - Fiscal Years 2020-2021 through 2024-2025," which also clearly states that: "The State Police Commission is a seven-member body that has EXCLUSIVE JURISDICTION over the administration of the state police service." (emphasis added), Strategic Plan, page 3.

(17) The "Vision Statement" of the aforesaid State Police Commission Strategic Plan says: "To be recognized as a proactive partner in the management of Louisiana's classified state police force." Strategic Plan, page 4.

(18) The Commission's "Mission Statement" as reflected in the Strategic Plan is: "To provide an independent, merit-based, system to empower the State of Louisiana to recruit, develop, and retain a state police force with the highest level of professionalism and proactive engagement in providing service to and protection of Louisiana's citizens and visitors." Strategic Plan, page 4.

(19) And the Commissions own Rules, more particularly Rule 2.4(c), which is found in Chapter 2, Section 2.4 provides that:

"(c) The Commission may hold an executive meeting for one or more of the following reasons:

"(1) Discussion of the character, professional competence, or physical or mental health of a person, provided that such person may require that such person may require that such discussion be held at an open meeting.

"(4) Investigative proceedings regarding allegations of misconduct."

(20) In Rule 2.9, the Commission goes on to state, in some detail, that:

"The Commission is empowered:

"(a) To represent the public interest in the improvement of personnel administration in the Department of Public Safety and Corrections, Office of State Police, whose personnel practices are governed by the Article and State Police Commission Rules."

"(c) To conduct investigations whenever it has reason to believe the provisions of the State Police Service Article or Rules are being violated or have been violated by any person or Department of Public Safety and Corrections, Officer of State Police; and to hold public hearing when charges of such violations have been filed with it. The Commission may issue appropriate orders in any such case, in addition to those orders provided for in Subsections (h) and (i) of this Rule."

"(e) ... To provide decisions that are consistent with the basic tenets of the merit system, the State Police Service Article, the State Police Commission rules, existing jurisprudence and equity and improve the appeal and discipline process."

"(f) To perform such other acts as may from time to time be required of it by the Constitution or by Statute."

"(h) To issue orders withholding compensation from any person who, after investigations by public hearings has been found by the Commission to be employed or paid by the State contrary to the provisions of the Constitution or the Rules adopted there under."

(21) One additional Rule of the Commission bears mention, namely Rule 2.10(b), which also is found in Chapter 2, Section 2.10 and which provides in subsection (b) as follows:

"(b) If the Commission finds that an imminent peril to the public health, safety or welfare or another emergency requires adoption of a rule change without compliance with Rule 2.10(a), the adoption, amendment or repeal of of any rule may be approved by the Commission."

VI. IT MAY BE "A SELF-EVIDENT TRUISM," BUT THE ABOVE-REFERENCED "ARTICLE AND RULES" DEMONSTRATE THAT THE COMMISSION IS VESTED WITH AND ENJOYS GREAT POWER.

(22) Please pardon the redundancy, but the above-referenced "Article and Rules" are "breathtakingly broad" in scope and demonstrate that the Commission enjoys great power, should it choose to exercise any of the powers with which it is vested, including the power: "To conduct investigations whenever it has reason to believe that the provisions of the State Police Service Article or Rules are being violated or have been violated by any person or Department of Public Safety and Corrections, Office of State Police." Rule 2.9(c). And merely because a power may not have been utilized previously by the Commission does not mean that the power does not exist.

VII. ANOTHER TRUISM IS THAT STATE POLICEMEN, NO MATTER WHAT "RANK" THEY HOLD, MAY NOT ENGAGE IN CRIMINAL CONDUCT. IN OTHER WORDS, STATE POLICEMEN MAY NOT BREAK THE LAW. AND JUST AS AN INDIVIDUAL STATE POLICEMAN MAY NOT BREAK THE LAW, "THE INSTITUTION ITSELF," NAMELY THE "DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, OFFICE OF STATE POLICE," MAY NOT BREAK THE LAW.

(23) The Louisiana State Police Commission addressed the standards of conduct for the individual State Policeman when it promulgated Rule 14.1(c), which clearly reflects:

"14.1 The Appointing Authority of the State Police Service shall:

(c) Implement training, policies and procedures to ensure that all members of the classified state police service comply with the rules of the Louisiana State Police Commission, the policies and procedures of the, the laws of the United States and the U. S. Constitution, the laws and Constitution of the State of Louisiana and other rules and procedures that are applicable for the good manner and order of the members of the state police service."

And Rule 2.9(c) addresses the power of the Commission to investigate when it has reason to believe that "the institution itself," namely the "Department of Public Safety and Corrections, Office of State Police," has violated the State Police Service Article or Rules.

In plain, simple English, it is respectfully submitted that if CRIMINAL MISCONDUCT by a Louisiana State Policeman is brought to the attention of "the Appointing Authority," but the "Appointing Authority" REFUSES TO ACT, then the Louisiana State Police Commission is empowered to act by virtue of the power vested in it by "the Article and Rules."

Similarly, when "the institution itself" is demonstrated to be CORRUPT, the Commission has the power to investigate that corruption and to "... issue orders in any such case." Rule 2.9(c).

And it is just such circumstances that bring my "... formal charges and request for investigation and exercise of empowerment" before the Commission.

VIII. BUT FOR THE MURDER OF RONALD GREENE BY "F TROOP" ON MAY 10, 2019, AND THE PUBLIC ATTENTION THAT THE GREENE CASE HAS RECEIVED, MY CASE WOULD NOT BE ON THE AGENDA FOR THE COMMISSION'S JUNE 9TH MEETING.

(24) The "common denominators" between the Ronald Greene case and my case are: "F Troop" and "cover-up" by the Louisiana State Police. Indeed, two Louisiana Journalists have published articles detailing the similarities in the two cases. Journalist Tom Aswell of "The Louisiana Voice" has authored two articles: (1) "Ronald Greene tragedy was Ashton O'Dwyer's Willie Stark moment in exposing depth of LSP corruption," which appeared in The Louisiana Voice on February 14, 2022 (the reference to "Willie Stark" being Mr. Aswell's journalistic license to invoke "All the King's Men" by Robert Penn Warren) and (2) "If anyone knows an LSP shell game, it's Ashton O'Dwyer who has a sense of de'ja vu over Reeves testimony in Greene matter," which appeared in The Louisiana Record on March 16, 2022. Mr. Aswell also has written extensively about the various Ronald Greene investigations and is one of the few journalists who has written about "the State Police Training Academy cheating scandal" involving several years' worth of Training Academy Cadets, who now wear badges and carry guns, but who arguably lack any moral compass (or whose moral compass is "twisted" at best).

(25) In addition to Mr. Aswell, Journalist James Gill penned a revealing Op-Ed in "The Advocate" over the April 8-10, 2022 weekend, entitled: "Ronald Greene might be alive today if anybody listened to Ashton O'Dwyer."

IX. WHERE DO MATTERS STAND AT PRESENT AND HOW DID WE GET HERE? OR, STATED ANOTHER WAY: "IT'S NOT THE CRIME, IT'S THE COVER-UP."

(26) Although I mean no disrespect to the members of the Commission, but unless the Commissioners have been "living under a rock," it should be apparent from the publicity, and outcry from the Public, the various investigations of the Greene case have received, that certain current and former State Policemen participated in a massive cover-up about what actually transpired on a state highway in Union Parish during the early morning hours of May 10, 2019, resulting in Greene's wrongful death.

(27) While it is "difficult" to resist the urge to rehash what was done to me by "F Troop," by other State law enforcement officers, and by other State (and private) actors almost 17 years ago, let me recapitulate and identify again the "common denominators" in both cases, namely "F Troop" and "cover-up" by the State Police.

(28) Indeed, the evidence adduced to date during Louisiana Legislative Committee Investigative Hearings has been so shocking that similarities between how all of us perceive the Mafia to be run, and how the State Police has been run, simply cannot be ignored. Reasonable minds have evaluated the available evidence, which is still being uncovered, and have concluded that the Louisiana State Police is "a racketeering enterprise," since the very same Modus Operandi (M. O.) for covering nasty things up has been employed for years. The most recent "cover-up artists" appear to have been Reeves, Noel, Cain, Flinchum and Morrison, whose penchant for covering things up "overlapped" the cover-up in both the Greene case and in my case. See my February 14, 2022 " ... formal charges and request for investigation and exercise of empowerment" and "AROD Exhibit Nos. 1 through 9."

(29) Some of the same reasonable minds who see "a racketeering enterprise" when the State Police "M. O." for covering things up is studied also see a systematic and recurring pattern of behavior by many of the very same players in multiple cases, giving rise to the applicability of something called "The Racketeer Influenced and Corrupt Organizations Act" (RICO), both Federal (18 U. S. C. Section 1961, et seq.) and State (LSA-R.S. 15:1352, et seq.), by virtue of almost identical predicate acts by the same people.

X. SO WHERE IS YOUR PROOF, O'DWYER, THAT THE SAME "M. O." FOR COVERING THINGS UP HAS BEEN EMPLOYED BY THE SAME "PLAYERS" IN MULTIPLE CASES, EVIDENCING A SYSTEMATIC AND RECURRING PATTERN OF BEHAVIOR?

(30) Again, no disrespect is intended, but I am not "a Louisiana Legislative Investigative Committee" or "State Police Commission" having "broad and general rulemaking and subpoena powers." I already have said that the Louisiana State Police gave me only two names and one scrap of paper in almost 17 years of being "in a state of WAR" with them. But in the Ronald Greene case I aver that: "The proof of the pudding is in the eating." More to the point, here we are more than three (3) years from Mr. Greene's murder and there has not been even one (1) arrest or indictment. I aver that that fact alone strongly suggests the existence of "a cover-up" by Greene's murderers and others.

(31) In my own case, I have identified Reeves, Noel, Cain, Flinchum and Morrison as being "cover-up artists." See my February 14, 2022 formal charges, etc. and the nine (9) Exhibits referenced therein, particularly "AROD Exhibit No. 9." The other eight (8) Exhibits also involve Colonel Reeves' and Lt. Colonel Noel's predecessors, namely Colonel Edmonson and Lt. Colonel Dupuy, who also were skilled "cover-up artists." The nine (9) Exhibits to my formal charges, etc. will reflect that notwithstanding the fact that I transmitted clear and convincing evidence to Colonel Edmonson and his minions of the violation of my civil rights by Louisiana State Troopers on September 20, 2005, and the more recent (January 21, 2015) crime of perjury at a deposition by Trooper John Nelson, no action of any type was taken by anyone with the Louisiana State Police following the submission of my evidence. That included Edmonson, Dupuy, Reeves, Noel, Cain, Flinchum and Morrison. See "AROD Exhibits 1 through 9" to my formal charges, etc. More particularly, there was no investigation whatsoever by the State Police of the violation of my civil rights or of Nelson's having committed perjury, which constitutes PROOF that the the State Police swung into "full cover-up mode" when I reported the crimes against me to them. What had been started by Edmonson and Dupuy continued "in full force and effect" under Reeves, Noel and Cain, aided and abetted by Flinchum and Morrison.

XI. A MISSED OPPORTUNITY.

(32) Once it became clear to me that Colonel Edmonson (and his minions, including Lt. Colonel Dupuy) was STONEWALLING me and would not act on my evidence of Trooper Nelson's perjury (and the subornation of same by an Assistant District Attorney from Ouachita Parish, who routinely worked with my abductors from "F Troop"), I contacted the then-Executive Director of the Louisiana State Police Commission, Ms. Cathy Derbonne. The Exhibit "AROD Exhibit No. 10" is my E-mail of July 19, 2016 @ 11:25 AM to Ms. Derbonne, identified in the subject line as: "Formal written charges and request for investigation," all stemming from Trooper Nelson's violation of my civil rights and perjury during a deposition. My "thinking" at the time, which is equally applicable today, was that: If the Louisiana State Police would not act, then I would ask the Louisiana State Police Commission to act. Otherwise, I would be left without any remedy for criminal misconduct by a State Policeman.

(33) It should be noted that "AROD Exhibit No. 10" clearly reflects that:

"As I explained to you [in a telephone conversation that preceded the E-mail], Colonel Edmonson, Lt. Col. Dupuy and Ms. Flinchum are all conspiring, along with Assistant District Attorney Fred McGaha of Ouachita Parish, to obstruct justice and 'cover-up' the wrongdoing in my case.". Accordingly, I am requesting an 'independent' investigation of my allegations against Nelson."

(34) The Exhibit "AROD Exhibit No. 11" simply corrected for Ms. Derbonne a typographical error in a "link" to a video documenting my abduction, brutalization, torture and false imprisonment by "F Troop" and other State law enforcement officers on September 20, 2005.

(35) It didn't take Ms. Derbonne very long to inform me that she had decided not to act. "AROD Exhibit No. 12" is Ms. Derbonne's missive to me of July 21, 2016, which informed me as follows:

"We have reviewed your complaint dated today, July 20, 2016, wherein you requested that an 'independent' investigation pursuant to Chapter 16 be initiated to investigate allegations of (1) a violation of his civil rights; (2) perjury by a member of the state police service during a deposition; and (3) conspiracy to obstruct justice by the Superintendent and Assistant Superintendent.

"Pursuant to SPC Rule 16.1, 'any person may file with the Director or the Commission written charges of a violation by any person of 'the Article or the Rules.' Unfortunately, the alleged conduct is not governed by the Article or the Rules, thus prohibiting investigation pursuant to Chapter 16." Ms. Derbonne signed in her capacity as Executive Director of the Commission. See "AROD Exhibit No. 12."

(37) Because I recognized that Ms. Derbonne's "no Commission action" on my formal charges and request for investigation left me without any remedy whatsoever, since NEITHER the State Police NOR the Commission had "acted," I fired off "AROD Exhibit No. 13" to Ms. Derbonne, which is my E-mail of July 21, 2016 @ 10:46 PM to her, citing her "Chapter-in-Verse" and informing her as follows:

"Madame: You must be smoking the same 'funny cigarettes' that Nelson, Edmonson, Dupuy, Flinchum and McGaha are smoking.

"I repeat: Formal written charges have been filed, which not only delineate 'simple misconduct,' but CRIMINAL CONDUCT on the part of Edmonson, Dupuy, Flinchum, Nelson, McGaha and others. SO WHAT WILL THE COMMISSION DO ABOUT MY ALLEGATIONS?" (emphasis in original).

(38) Nothing more was ever heard from Ms. Derbonne, who later resigned as Executive Director of the Commission under circumstances which remain unclear to me.

XII. NOW LET'S POSE A SERIES OF RHETORICAL QUESTIONS.

(39) Suppose, just suppose, that the Louisiana State Police "top Brass," like Edmonson, Dupuy, Reeves, Noel and Cain, had ACTED on my formal charges of criminal misconduct and request to investigate? If "the Brass" had acted, might "the rank and file," including Trooper John Nelson of "F Troop," have gotten "the message" that serious allegations of criminal misconduct of any type would be dealt with swiftly and decisively, instead of being "covered-up," as usual?

(40) Ditto for action (or NOT) by the State Police Legal Counsel, Faye Morrison, who appeared regularly before this Commission for a term of years, representing "the Office of State Police" notwithstanding the fact that her husband, Mark Morrison, was "a ranking State Policeman." To my knowledge, no one ever brought Ms. Morrison's obvious conflict of interest to her attention. Journalist Tom Aswell of "The Louisiana Voice" has recently revealed that Ms. Morrison may have been influential in the "re-hiring" of State Police Training Academy Cadets who had been "terminated" because of their involvement in the Training Academy cheating scandal.

(41) And after the State Police failed to act, suppose, just suppose, that Ms. Derbonne and the Commission had acted, so that Trooper John Nelson and his colleagues with "F Troop" got "the clear message" that even when the State Police "top Brass" wouldn't act, for one reason or another, the Commission would do so and put any criminal misconduct "under the microscope" in a "no holds barred" investigation?

(42) I respectfully submit that if any of the foregoing rhetorical questions had been answered affirmatively, then the miscreants of "F Troop" and their Senior Officers would have gotten the message that covering up criminal misconduct was now VERBOTEN and that "the Brass" (or if the Brass failed to do so, "the Commission") would vigorously investigate, so that covering things up would no longer be tolerated, rather than continue being implemented as "a pattern of behavior" by CROOKED State Policemen in "the racketeering enterprise" called the Louisiana State Police. Certainly, the "M. O." for covering things up was virtually identical in both my case and in the Ronald Greene case. And many of the same "players" were involved in covering up both cases. Think: Reeves, Noel, Cain, Flinchum and Morrison.

(43) And of course, the foregoing rhetorical questions lead to the next most obvious question, namely: "Had Ms. Derbonne and the Commission acted after the State Police failed to act on my formal charges and request for investigation, might Ronald Greene still be alive today because "F Troop" might have had second thoughts?

XIII. OPTIONS AVAILABLE TO THE COMMISSION UNDER THE PROVISIONS OF SPC RULE 16.5.

(44) Recall that Commission Executive Director Hannaman has advised me that: (1) " ... your complaint will be placed on the June 9th agenda of the State Police Commission for consideration under SPC Rule 16.5." Hannaman E-mail of 4/29/22; and (2) " ... your request for investigation, pursuant to SPC Rule 16.5, will be on the June 9th agenda." Hannaman E-mail of 6/02/22.

(45) Rule 16.5 is entitled: "Commission Action of Formal Charges" and provides in subsection (a) that: "[e]ach filing which purports to be formal charges shall be considered by the Commission in executive session."

(46) The Rule further provides that, once the Commission goes into executive session: "Thereafter, in its sole discretion, the Commission may take any such action as it deems appropriate, including any of the following: (which will be enumerated in a second). But first, please allow me repeat, for the purpose of emphasis: " ... IN ITS SOLE DISCRETION, THE COMMISSION MAY TAKE ANY SUCH ACTION AS IT DEEMS APPROPRIATE, including any of the following:

"1. decline to investigate and order the charges dismissed;

"2. order the Executive Director to conduct an investigation and to submit a report thereon;

"3. offer the complainant an opportunity to submit additional information; and/or

"4. order a public investigative hearing on some or all of the charges.

"(b) Written notice of the Commission's action shall be given to the complainant."

(47) And also permit me to again remind the Commission that Article X, Part IV, Section 48(A)(4) provides that: "Rules adopted pursuant hereto shall have the effect of law and be published and made available to the public." Please allow me to repeat, for the purpose of emphasis: "RULES ADOPTED ... SHALL HAVE THE EFFECT OF LAW."

(48) I will not deign to invade the province of the Commission, which is clearly empowered to take such action as it deems appropriate "in its sole discretion."

CONCLUDING REMARKS: THE COMMISSION IS NOW PRESENTED WITH ANOTHER OPPORTUNITY TO TAKE ACTION. WILL THE COMMISSION "FISH OR CUT BAIT?"

(49) I reiterate that I believe the Commission has original jurisdiction to determine a State Police disciplinary matter, particularly where the "Appointing Authority" and "the Office of State Police" have failed to act and obstructed justice, so that the matter can remain "covered up."

(50) I also reiterate that I believe the Commission has original jurisdiction to conduct investigations " ... whenever it has reason to believe that the provisions of the State Police Service Article or Rules are being violated or have been violated by any person OR DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, OFFICE OF STATE POLICE" and to " ... ISSUE APPROPRIATE ORDERS IN ANY SUCH CASE." Rule 2.9(c) (emphasis added.).

(51) And even if the Commission has never utilized its "original jurisdiction" previously, that does not mean that the Commission lacks the power to do so pursuant to the "broad and general" powers with which the Commission is vested under the Louisiana Constitution of 1974, Article X, Part IV, Section 41, et seq. Additionally, even if a particular law breaker is not "in state police service," the power to investigate includes the power to ask questions of anyone, to be answered under oath, so that the Commission may "issue appropriate orders."

(52) Lastly, if the Commission fails to act, in the face of no action whatsoever by the State Police, except obstruction of justice and implementing a cover-up, which has been the "M. O." of "the Office of State Police" for years, by the same people, then who will the "policeman" (that "trustee of the public interest") be required to answer to and be responsible to? The Supreme Court of the United States answered that question in the 1968 case of Gardner v. Broderick, supra, when it said; " ... the policeman is either responsible to the state or to no one." 88 S. Ct. at p. 1916. And in this case, the Louisiana State Police Commission is "the state," because the State Police failed to act, so that criminal misconduct which "the racketeering enterprise" didn't want anyone to see would remain covered up and buried.

Declared to be true and correct under penalty of perjury pursuant to 28 U. S. C. Section 1746.

Respectfully submitted, Ashton O'Dwyer, 2829 Timmons Lane, Unit 143, Houston, Texas 77027, telephone no. (504) 812-9185.