

Bond Case Briefs

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EMPLOYMENT - LOUISIANA

Gaspard v. City of Abbeville

Supreme Court of Louisiana - March 14, 2014 - So.3d - 2013-2817 (La. 3/14/14)

Police officer sought review of civil service board's decision upholding city council's termination of officer's employment, stemming from incident in which officer allegedly injured middle school student when she improperly used and deployed stun gun in school classroom.

Officer asserted that a statement made by the Abbeville Police Department taser training officer was not provided to her upon request, violating her rights as a police officer and rendering her termination an absolute nullity.

The 15th Judicial District Court dismissed officer's appeal. Officer appealed. The Court of Appeal reversed, and certiorari was granted.

The Supreme Court held that officer was only entitled to request a copy of her own statement.

Pursuant to statute providing that police employee or law enforcement officer shall not be prohibited from obtaining a copy of recording or transcript of recording of his statements upon his written request, police officer, who was being investigated for not following departmental policies while using taser, resulting in injury to middle school student, was only entitled to request a copy of her own statement and, as this was a personal right, question of whether sergeant's statement was actually recorded was of no consequence. Nothing in statute suggested that officer was entitled to a copy of all statements made during the investigation.