

MOTION TO QUASH LLC

TRACIE BURKE

NOTABLE WHISTLEBLOWER



Introduction

Tracie Burke took action against fraud, corruption, misuse of power and bribery in Louisiana. To date, her disclosures to the Department of Justice have turned up considerations, recommendations, hearings, audits, and indictments. Tracie remains committed to supporting and promoting whistleblower protection legislation. She can be reached at tracie@motiontoquash.org.

In the Matter of Assistant Chief Ted Bellanger, Lafitte Fire Department

1 message

Tracie Burke <motiontoquash.org@gmail.com>

Wed, Sep 16, 2020 at 2:47 PM

Reply-To: tracie@motiontoquash.org

To: [REDACTED]

Dear Special Agent [REDACTED]

The Firefighters Code of Ethics is a 15-point pledge that requires individual firefighters to promise to act responsibly, and with integrity, both on and off the job. Firefighters promise to be fair, to respect diversity, and to reject discrimination based on race, religion, age or ethnicity. They pledge to be honest and report any cases of departmental cheating or corruption to superior officers. As community leaders, firefighters promise not to misuse public resources such as equipment and uniforms, and not to use their positions for personal gain. They swear not to compromise safety and job performance by drinking or using drugs and to remain vigilant about the welfare and safety of their fellow firefighters.

Please evaluate all available information to determine that disciplinary action is appropriate. (see attachments)

An investigation into events involving Assistant Chief Ted Belanger that occur at the Fire Department in Jean Lafitte, LA have provided information to support the following:

- * 15-20 people live at the fire station including Ted Bellanger, his wife, son, son's wife, his nephew, and multiple others.
- * A witness/victim disclosed that Ted Bellanger sent illicit images of himself to her, while he was at the Lafitte Fire station.
- * The victim noted that Ted Bellanger's nephew, Austin Ancar, who was arrested for computer-aided solicitation of a minor, lives and works at the fire station. (see link)
https://www.nola.com/news/crime_police/article_3a00ebef-e21e-5aa4-833c-c46b9ece93f5.html

These are violations of Civil Service Rules which state the following:

Chapter 14 Prohibited Activities

(c) No person shall directly give, render, pay, offer, solicit or accept any money, service or other valuable consideration for or on account of any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in a position the classified service, except as services may be provided pursuant to a temporary staffing services contract with the state as approved by the director pursuant to these rules.

(j) No person shall make any false statement, certificate, mark, rating, form or report with regard to any application, test, certification, personnel transaction, appointment or employment made under any provision of the Article, the Rules, or a regulation of the Department of Civil Service, or in any manner commit or attempt to commit any fraud preventing the impartial execution of the Article, Rules and regulations.

(m) It shall be the duty of every classified employee to assist the Commission and the Department of State Civil Service in effectively carrying out the provisions of the Article and Rules, and to assist the State Police Commission in effectively carrying out the provisions of Article X, Part IV, and the Rules of the State Police Commission, and to answer truthfully, whether under oath or otherwise, all proper questions put to him by authorized representatives of the Department or the Commission, or of the State Police Commission.

(n) No action shall be taken or authorized to be taken by any person without approval of the Commission or the Director when such approval is required by either the State Constitution or Civil Service Rule.

(o) No person shall fail to comply with any order or directive of the Commission unless such order or directive is otherwise stayed by a Court of proper jurisdiction or unless within the time limits provided by applicable rule or law.

The Civil Service Rules govern personnel practices and are binding for state classified employees in all state agencies and departments. These Rules are adopted and amended in open hearings by the State Civil Service Commission. Authority for the rules is derived from Article X of the Louisiana State Constitution.

Ted Bellanger's actions require disciplinary action for the reason(s) identified below from the Louisiana Revised Statute:

La. Stat. tit. 33 § 2560

Section 33:2560 - Corrective and disciplinary action for maintaining standards of service


A. The tenure of persons who have been regularly and permanently inducted into positions of the classified service shall be during good behavior. However, the appointing authority may remove any employee from the service or take such disciplinary action as the circumstances warrant in the manner provided below, for any one of the following reasons:




1. Unwillingness or failure to perform the duties of his position in a satisfactory manner.
2. The deliberate omission of any act that it was his duty to perform.
3. The commission or omission of any act to the prejudice of the departmental service or contrary to the public interest or policy.
5. Conduct of a discourteous or wantonly offensive nature toward the public or toward any municipal officer or employee, and any dishonest, disgraceful or immoral conduct.
14. The willful violation of any provision of this Part or of any rule, regulation or order adopted under its authority.
15. Any other act or failure to act which the board deems sufficient to show the offender to be an unsuitable or unfit person to be employed in the fire and police service.

I respectfully request that you review and investigate the Matter of Assistant Chief Ted Bellanger and include this with my Qui Tam folder already in your office.

Thank you for your time.

Sincerely,
Tracie Burke, President
Motion to Quash LLC


motiontoquash.org

cc: Bryan Adams, Director of Fire Services Jefferson Parish
, Louisiana State Examiner
, Special Agent JPOIG
, Metropolitan Crime Commission
NWLDEF, Confidential Intake Coordinator




Virus-free. www.avg.com

7 attachments

 **Fire-Critical-Incident-Form-Ted Bellanger.pdf**

73K

 **SOS Lafitte, Barataria and Crown point Fire Company.pdf**
149K

 **SOC Jefferson Parish fireman's Association.pdf**
144K

 **lafittefiredept.pdf**
1124K

 **Auditor's report 2018.pdf**
11155K

 **Interview July-Sept 2020.pdf**
2012K

 **Interview Sept. 15, 2020.pdf**
394K

FIRE - CRITICAL INCIDENT FORM

EMPLOYEE'S NAME: Assistant Fire Chief Ted Bellanger	
SUPERVISOR'S NAME: Fire Chief Linton Duet	
DATE: 9/16/2020	FURTHER INVESTIGATION OR ACTION RECOMMENDED? Yes
Longstanding/ongoing DATE OF INCIDENT:	
Did employee's actions result in one of the following?	
Unwillingness or failure to perform the duties of his position in a satisfactory manner? Yes	
Deliberate omission of any act that it was his duty to perform? Yes	
Commission or omission of any act to the prejudice of the departmental service or contrary to public interest or policy? Yes	
Insubordination?	
Conduct of a discourteous or offensive nature toward the public or toward any municipal officer or employee? Yes	
Reporting for work under the influence, or the use of drugs or alcohol off duty to the extent that the employee's ability to perform his job is impacted?	
Political activity?	
The development of any condition that calls the employee's fitness for duty into question? Yes	
<p>DESCRIPTION OF INCIDENT: An investigation into inappropriate actions involving Assistant Chief Ted Belanger that occur at the Fire Department in Jean Lafitte, LA have provided information to support the following: A witness/victim disclosed that 15-20 people live at the fire station including Ted Bellanger, his wife, son, son's wife, his nephew, and multiple others. (See attachment) She complained that Ted Bellanger sent illicit images of himself to her, while Bellanger was at the Lafitte Fire station. The victim noted that Ted Bellanger's nephew, Austin Ancar, who was arrested for computer-aided solicitation of a minor, lives and works at the fire station. (see link) <u>Lafitte man booked with computer-aided solicitation of a minor</u></p>	

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Chapter 14 Prohibited Activities**

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- 3. The commission or omission of any act to the prejudice of the departmental service or contrary to the public interest or policy.**
- 5. Conduct of a discourteous or wantonly offensive nature toward the public or toward any municipal officer or employee, and any dishonest, disgraceful or immoral conduct.**
- 14. The willful violation of any provision of this Part or of any rule, regulation or order adopted under its authority.**
- 15. Any other act or failure to act which the board deems sufficient to show the offender to be an unsuitable or unfit person to be employed in the fire and police service.**

**State of
Louisiana
Secretary of
State**



COMMERCIAL DIVISION
225.925.4704

Fax Numbers
225.932.5317 (Admin. Services)
225.932.5314 (Corporations)
225.932.5318 (UCC)

Name	Type	City	Status
JEFFERSON PARISH FIREMEN'S ASSOCIATION	Non-Profit Corporation	GRETNA	Inactive

Previous Names

Business: JEFFERSON PARISH FIREMEN'S ASSOCIATION
Charter Number: 01903800N
Registration Date: 12/27/1949

Domicile: [Redacted]
Mailing: [Redacted] D.

Status

Status: Inactive
Inactive Reason: Action by Secretary of State
File Date: 12/27/1949
Last Report Filed: 4/10/2014
Type: Non-Profit Corporation

Registered Agent(s)

Agent: [Redacted]
Address 1: [Redacted]
City, State, Zip: [Redacted]
Appointment Date: [Redacted]

Officer(s) **Additional Officers: No**

Officer: [Redacted]
Title: [Redacted]
Address 1: [Redacted]
City, State, Zip: [Redacted]

Officer: TED BELLANGER
Title: President
Address 1: [Redacted]
City, State, Zip: [Redacted]

Officer:	
Title:	
Address 1:	
City, State, Zip	

Amendments on File (5)

Description	Date
Revoked	2/18/1998
Reinstatement	5/7/1999
Revoked	2/28/2014
Reinstatement	4/10/2014
Revoked	2/15/2019

Print



Jefferson Parish Office of Inspector General



**Lafitte-Barataria-Crown Point
Volunteer Fire Company:
Full-time Residents of Fire Stations
Investigative Report 2018-0013**

January 11, 2024

Kim Raines Chatelain, Inspector General

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EXECUTIVE SUMMARY

The JPOIG initiated an investigation after receiving information from an anonymous complainant. Based upon this information, the JPOIG investigated the following allegations: Individuals, to include children, live at Lafitte/Barataria/Crown Point Volunteer Fire Company (LBCP VFC) fire stations. Relatedly, the JPOIG considered whether individuals, and specifically volunteers and family members, have been identifying fire stations as personal residences or otherwise indicating occupancy for personal purposes.

The JPOIG substantiated that some LBCP VFC employees and/or volunteers have used and are currently using fire stations as residences. The JPOIG further substantiated that some LBCP VFC employees and/or volunteers have identified fire stations as personal residences. These fire stations are supported with public funds and/or owned by the Parish.

The JPOIG was unable to substantiate the allegation that the fire stations were personal residences for children.

Based upon the findings, the JPOIG recommends:

1. LBCP VFC should cease the practice of permitting individuals to reside full-time at the fire stations; and
2. LBCP VFC should cease any practice, if such exists, of permitting firefighters' children to visit firefighters at the stations for prolonged visits or overnight.

Additional JPOIG recommendations based on the investigation, but not directly related to the anonymous complaint:

1. LBCP VFC and the Parish should review property holdings to ensure that all immovable property is properly titled per the CEA, Section 1, Paragraph 2 (d).

On 10/18/2023, the JPOIG issued a Confidential Draft Report to Office of Fire Services Director Don Robertson with a copy to Parish President Cynthia Lee-Sheng. The JPOIG received a response from the Parish President dated 12/04/2023. Because the response did not specifically agree or disagree with our findings, we will treat the response as "Disagreed."

On 12/05/2023, the JPOIG issued a Confidential Draft Report to LBCP VFC Chief Linton Duet and LBCP Board President Remy Ronquille. No responses were timely received.

Timely received responses are attached to the report.

BACKGROUND

Acronyms

The JPOIG used the following acronyms in this report.

CEA	Cooperative Endeavor Agreement	P.I.A.L.	Property Insurance Association of Louisiana
JPCO	Jefferson Parish Code of Ordinances	SOG	Standard Operating Guidelines
JPOIG	Jefferson Parish Office of Inspector General	SOS	Secretary of State
LBCP VFC	Lafitte/Barataria/Crown Point Volunteer Fire Company	VFC	Volunteer Fire Company
Parish	Jefferson Parish		

This investigation was initiated based upon information received from anonymous complainant concerning Lafitte/Barataria/Crown Point Volunteer Fire Company (LBCP VFC) employees, volunteers, and/or family members, to include children, living full-time at the fire station(s), i.e. using it as a personal residence.

Jefferson Parish (Parish) has seven fire districts, exclusive of the East Bank Consolidated Fire District. Each fire district separately generates public revenue to support fire prevention and suppression services within the district. The Parish contracts with individual fire companies, identified as Volunteer Fire Companies (VFC), to provide fire prevention and suppression within the various districts. The VFCs are staffed by both paid and volunteer firefighters.

The LBCP VFC is a non-profit located within Jefferson Parish's Fire Protection District No. 4 which is situated on the West Bank. While some funds are raised by the non-profit, the primary source of the operating dollars for LBCP VFC come from the taxpayers. District No. 4 generates approximately \$773,000 a year in tax revenue for fire prevention and suppression.¹ LBCP VFC's income is derived principally from the proceeds of a property tax under their contract with the Parish to support fire protection services.²

On 12/02/2017, the Parish entered into a 10-year Fire Protection Agreement, referred to as the "Cooperative Endeavor Agreement" (CEA) with LBCP VFC to provide fire prevention and suppression services.³ Under the terms of the agreement, the Parish makes monthly transfers of approximately \$53,500, which was increased to \$58,600 after 01/16/2019.⁴

¹ 2022 Jefferson Parish Proposed Budget.

² According to the Louisiana Legislative Auditor Annual Financial Report issued 07/13/2022, \$703,200 of LBCP VFC's total \$1,071,489 income in 2021 derived from their firefighting contract with Jefferson Parish.

³ Appendix A. Parish Fire Protection District No. 4 and LBCP VFC CEA.

⁴ On 01/16/2019, the Parish Council adopted Resolution No. 132926 increasing the monthly allotment from \$53,500 to the current amount of \$58,600. The company also receives the 2% fire insurance premium tax from the Parish which they receive from the State of Louisiana for Fire Protection District No. 4.

LBCP VFC operates 4 fire stations. The stations and their physical addresses are identified in the table below.

Lafitte-Barataria-Crown Point Volunteer Fire Company		
Fire District	Station #	Address
4	40	2385 Jean Lafitte Boulevard, Lafitte
4	41	4176 Privateer Boulevard, Barataria
4	42	8027 Barataria Boulevard, Crown Point
4	43	5510 Jean Lafitte Boulevard, Lafitte

Station #40 located at 2385 Jean Lafitte Boulevard is owned by the Parish. Station #43 located at 5510 Jean Lafitte Boulevard is constructed on Parish property. Stations #41 and #42 are currently owned by LBCP VFC, according to tax assessor records. Notably, the CEA requires that property or buildings acquired by the Company with public funds shall be the property of the District and be titled in the District's name and not in the name of the Company.⁵



Image #1: Station 40 located at 2385 Jean Lafitte Boulevard in Lafitte



Image #2: Station 41 located at 4176 Privateer Boulevard in Barataria



Image #3: Station 42 located at 8027 Barataria Boulevard in Crown Point



Image #4: Station 43 located at 5510 Jean Lafitte Boulevard in Lafitte

⁵ Appendix A. Parish Fire Protection District No. 4 and LBCP VFC CEA. Section I, Paragraph 2 (d).

ALLEGATIONS & FINDINGS

An allegation is an assertion or a suspicion of behavior, action or incident of fraud, waste, or abuse involving Parish government, its employees, its officials, or other individuals and entities who have a financial relationship with the Parish. Allegations can originate from information provided to the JPOIG or developed by the JPOIG. Following an investigation, allegations are resolved as: sustained, not sustained, or ungoverned. “Sustained” means there is sufficient, credible evidence to validate the allegation. “Not sustained” means there is no credible evidence or insufficient credible evidence to validate the allegation. “Ungoverned” means there is sufficient, credible evidence to validate the allegation, but there are no specific criteria addressing the behavior, action, or incident. Allegations which are “sustained” or “ungoverned” can result in a finding while allegations which are not sustained do not. Allegations of behavior or action which may violate a law or regulation under the authority of a local, state, or federal law enforcement or regulatory agency are “Referred” to the agency for action or disposition.

Allegation #1: Full-time residents at LBCP VFC fire stations. SUSTAINED

The JPOIG received information that individuals were living full-time at LBCP VFC fire stations. The allegation was received from an anonymous complainant. Relatedly, the JPOIG considered whether individuals, and specifically volunteers and family members, were identifying fire stations as personal residences or otherwise indicating occupancy for personal purposes.



Finding #1: LBCP VFC employees and/or volunteers are using fire stations supported with public funds and/or owned by the Parish as full-time personal residences which may violate La. Const. Article 14, Section 7(a) and the terms of the contract with the Parish.

Relevant Information:

The JPOIG obtained and reviewed LBCP VFC’s 2020-2022 pay roll records, 2020-2022 rosters of paid firefighters, and 2020-2022 rosters of volunteers. Then, the JPOIG interviewed Chief Linton Duet, Fire Chief of the LBCP VFC. Chief Duet confirmed that the following individuals were either currently living full-time at the fire stations (they do not have a permanent residence other than the fire station), or had done so in the past:

According to Chief Duet, there are volunteer firefighters using the fire stations as their full-time residence. He stated that volunteers do not work firefighter “shifts” because they are volunteering their time to the Fire Company. Aside from using the fire stations as their full-time residence, most volunteers have paying jobs other than firefighting. They may be at the station 10 or 12 hours a day, but they leave to go to do work for which they get paid. The exception noted by the Chief is two residents at Crown Point who are elderly and do not work.⁶ Of the individuals identified by Chief Duet as living full-time at the station, nine were “volunteers” although housing may be considered compensation to the firefighters.⁷

Chief Duet knew individuals were living at the fire stations before he became chief. Also, some individuals, according to Chief Duet, lived at the fire station full-time, but only for brief periods, e.g. six months, because of hurricane damage to their personal property or for other situational reasons. Chief Duet explained that all full-time residents at the firehouses are certified firefighters. It is Chief Duet’s understanding that allowing certified firefighters to live on the premises of the firehouse improves the District’s rating with the Property Insurance Association of Louisiana (P.I.A.L.). Chief Duet related the benefit of residents to credit with P.I.A.L. ratings numerous times during the interview.

Attached to its submission to the P.I.A.L. for rating, LBCP VFC submitted a volunteer living schedule.

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
24 Melissa B. 24 Candie W. 12 Kathleen W 12 Jennifer A 12 Hope A. 08 Troy P. 12 Tracy T. 12 Cindy T. 12 Toni B.	24 Melissa B. 24 Candie W. 12 Kathleen W 12 Jennifer A 12 Hope A. 08 Troy P. 12 Tracy T. 12 Cindy T. 12 Toni B.	24 Melissa B. 24 Candie W. 12 Kathleen W 12 Jennifer A 12 Hope A. 08 Troy P. 12 Tracy T. 12 Cindy T. 12 Toni B.	24 Melissa B. 24 Candie W. 12 Kathleen W 12 Jennifer A 12 Hope A. 08 Troy P. 12 Tracy T. 12 Cindy T. 12 Toni B.	24 Melissa B. 24 Candie W. 12 Kathleen W 12 Jennifer A 12 Hope A. 08 Troy P. 12 Tracy T. 12 Cindy T. 12 Toni B.	24 Melissa B. 24 Candie W. 12 Kathleen W 12 Jennifer A 12 Hope A. 08 Troy P. 12 Tracy T. 12 Cindy T. 12 Toni B.	24 Melissa B. 24 Candie W. 12 Kathleen W 12 Jennifer A 12 Hope A. 08 Troy P. 12 Tracy T. 12 Cindy T. 12 Toni B.
1	2	3	4	5	6	7

Image #5 March 1-7, 2020 Volunteer Living Schedule

The schedule remains unaltered across the year, i.e. the same individuals are identified as present at the fire station 24 hours a day, 12 hours a day, 8 hours a day.

Chief Duet stated that LBCP VFC had established no written policies nor rules or procedures for individuals living full-time at the fire stations. However, the Standard Operating Guidelines (SOG) state, “Volunteer members must get permission to sleep over at any of the Fire Stations from the

⁶ Some residents pay Chief Duet \$250.00 in cash to offset costs incurred by the fire station. The rest of the residents assist with the general upkeep of the property, including mopping, sweeping, and cutting grass. Chief Duet stated in the interview that he deposits this rent money into the bank account with the millage funds in order to cover electricity bills.

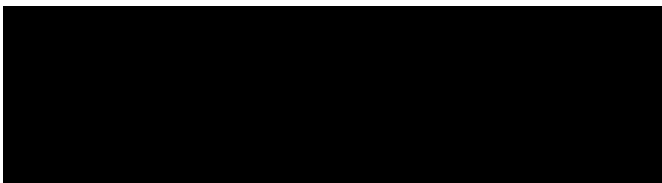
⁷ Providing Lodging to an employee or an independent contractor may qualify as a Taxable Fringe Benefit. IRS Publication 15-B “Employer’s Tax Guide to Fringe Benefits.”

Fire Chief.”⁸ Chief Duet also recalled receiving some training (which he claimed was not associated with training given by the LBCP VFC) about which kinds of expenditures could be made with public funds. He did not relate having received any training or guidance on whether fire stations maintained with public funds could be used for full-time personal housing, nor did he seem to associate the provision of housing with the use of public funds.

Independently of Chief Duet’s statements, the JPOIG was able to verify a number of individuals who were either paid firefighters or volunteer firefighters and who have claimed a LBCP VFC fire station as their personal residence and/or place of business.⁹

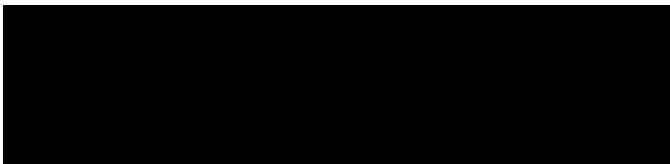
2385 Jean Lafitte Boulevard, Station #40

The following firefighters identified 2385 Jean Lafitte Boulevard, the physical address for Station #40, as their residence:



4176 Privateer Boulevard, Station #41

The following firefighters identified 4176 Privateer Boulevard, the physical address for Station #41, as their residence:



8027 Barataria Boulevard, Station #42

The following firefighter identified 8027 Barataria Boulevard, the physical address for Station #42, as their residence:



⁸ Appendix B. LBCP VFC Standard Operating Guidelines (SOG), pg. 45, 61. Note the JPOIG received three versions of the SOG, with the oldest effective on 09/01/1989. This footnoted excerpt is included in the version effective 08/17/1998 and latest version received, effective 02/05/2004. Appendix B contains all versions of SOG received.

⁹ The JPOIG obtained voter registration records, court records, and bankruptcy records where paid or volunteer firefighters used a station address as their address. Also, Louisiana Secretary of State records list MSA Lawn and Garden, LLC as being formerly domiciled at 4176 Privateer Boulevard, the physical address for Station #41. An LBCP VFC volunteer firefighter was listed as the registered agent and officer.

In addition to these firefighters listing a station address in public records, LBCP VFC Chief Duet confirmed to the JPOIG that all identified above have at one time resided at a station. As indicated previously on pages 5-6, he identified others as well.

Criteria:

La. Const. art. VII, §14(A)-A “Prohibited Donation”

Prohibited Uses. Except as otherwise provided by this constitution, the funds, credit, property, or things of value of the state or of any political subdivision shall not be loaned, pledged, or donated to or for any person, association, or corporation, public or private.¹⁰

In order for the alienation of public property, or things of value, to be permissible under the Constitution, the public entity must have the legal authority to make the expenditure and must show all of the following:

1. A public purpose of the expenditure or transfer that comports with the governmental purpose which the public entity has legal authority to pursue;
2. The expenditure or transfer, taken as a whole, does not appear to be gratuitous;
3. The public entity has a demonstrable, objective, and reasonable expectation of receiving at least equivalent value in exchange for the expenditure or transfer of public funds.¹¹

Fire Protection District No. 4 – 16.65 Mills Referendum, passed November 18, 2017

Shall Fire Protection District No. 4 of the Parish of Jefferson, State of Louisiana (the “District”) be authorized to levy and collect a tax not to exceed 16.65 mills on all property ... for the purpose of acquiring, constructing, improving, providing, maintaining or operating fire protection facilities within and for the District?

Under state law, the proceeds of any special tax shall constitute a trust fund to be used exclusively for the objects and purposes for which the tax was levied.¹²

¹⁰ The Louisiana Supreme Court has held that a *prohibited donation* occurs “when public funds or property are gratuitously alienated.” *Board of Directors of the Industrial Development Board of the City of Gonzales, Louisiana, Inc. v. All Taxpayers, Property Owners, Citizens of the City of Gonzales, et al.*, 2005-2298 (La. 9/6/06), 938 So.2d 11.

¹¹ La. A.G. Opinions 17-0025, 16-0198, 10-0171, 10-0299, 09-0260, 09-0271.

¹² La.R.S. 39:704.

CEA between Fire District No. 4 and LBCP VFC

Company agrees to employ all public funds, facilities and equipment entrusted to its care for providing said fire protection services, fire suppression services, fire prevention services, rescue operations, as well as response to incidents, emergencies, disasters and/or fire service calls related to civil disturbances, necessary and incidental for the operation of their respective areas in accordance with applicable laws.¹³

LBCP VFC Standard Operating Guidelines (SOG)

Volunteer members must get permission to sleep over at any of the Fire Stations from the Fire Chief. NO OPERATOR shall give permission to ANY MEMBER, failure of the Operator to comply shall result in suspension and if the problem continues that Operator will be terminated.¹⁴

Conclusion:

Based upon information gathered, the JPOIG concluded that LBCP VFC employees and/or volunteers were using fire stations as full-time personal residences.

The LBCP VFC is funded with millage revenue dedicated to “providing, maintaining or operating fire protection facilities.” Consistent with this purpose, Fire District No. 4, through the Parish, contracted with LBCP VFC for the primary purpose of providing fire protection services, fire suppression services, fire prevention services, rescue operations, as well as response to incidents, emergencies, and disasters. Neither the CEA nor the dedicated millage allows for public resources to be expended to provide full-time residences at the fire stations. Maintaining the fire stations as permanent residences for volunteers may represent the provision of public property and funds for private use in violation of La. Constitution Article VII, Section 14(A).

Finally, the practice of permitting individuals to reside full-time at fire stations may expose the LBCP VFC as well as the Parish to unanticipated liabilities for accidents and loss for conduct and activity between and among residents which is wholly unrelated to providing fire protection and fire suppression services.¹⁵ It may also expose the LBCP VFC, as well as the Parish, to unanticipated tax liabilities.¹⁶

¹³ Appendix A. Parish Fire Protection District No. 4 and LBCP VFC CEA was authorized by Resolution No. 130387, dated 11/15/2017, pg. 10. The CEA was amended via Resolution No. 131637 adopted on 06/06/2018.

¹⁴ Appendix B. LBCP VFC Standard Operating Guidelines (SOG), pg. 61 (and a variation of the guideline on pg. 45).

¹⁵ See Champagne et ux v. American Alternative Insurance Corporation, No. 2012-CC-1697, 112 So.3d 179 (La. 03/19/2013).

¹⁶ IRS Publication 15-B 2023

Allegation #2: Children are living at LBCP VFC fire stations. NOT SUSTAINED.

The JPOIG received information that children and/or families were living at Lafitte fire houses. The allegation was received in the same manner as the initial allegation.

Relevant Information:

The JPOIG interviewed Chief Linton Duet, Fire Chief of the LBCP VFC. Chief Duet confirmed that there are firefighters living full-time at the fire stations in District No. 4. He was aware of firefighters who had children, but he was not aware of any children living with firefighters at the fire stations. Children of firefighters may visit the fire station for hours at a time.¹⁷

Criteria:

CEA between Fire District No. 4 and LBCP VFC

Company agrees to employ all public funds, facilities and equipment entrusted to its care for providing said fire protection services, fire suppression services, fire prevention services, rescue operations, as well as response to incidents, emergencies, disasters and/or fire service calls related to civil disturbances, necessary and incidental for the operation of their respective areas in accordance with applicable laws.

LBCP VFC Standard Operating Guidelines (SOG)

Children will not be allowed to play in fire stations. Any juveniles within any station after the hours of 9:00 p.m. seen inside of the station as well as outside in the bay area, the operator on duty may be discharged from service. Any family member who visits the stations between the hours of 5:00 p.m. and 9:00 p.m. who have a juvenile in their possession must keep any eye out for them. In the event of a call-out, please make sure that the child is away from the bay area, because of the dangers of the emergency vehicle responding to the call.¹⁸

Conclusion:

Based upon information gathered, the JPOIG could not validate that children and/or families were living at the fire stations.

Based upon the statements of Chief Duet, the JPOIG reasonably believes that children of firefighters may visit the stations for hours at a time. The practice of children to visit relative firefighters while on duty may expose the LBCP VFC, as well as the Parish, to unanticipated loss

¹⁷ Appendix B. LBCP VFC Standard Operating Guidelines (SOG), pg. 45, 61.

¹⁸ Appendix B. LBCP VFC Standard Operating Guidelines (SOG), pg. 61 (and a variation of the guideline on pg. 45).

and liability for conduct and activity which is wholly unrelated to providing fire protection and fire suppression services.¹⁹

¹⁹ See Robinson v. Parish of East Baton Rouge, No. 8763, 260 So.2d 59 (La.Ct.App. 1st Cir. 03/13/1972).

RECOMMENDATIONS

Recommendations are suggestions or proposals for corrective actions to the Parish, individual or entity which is the subject of the finding to address issues identified in the report. Based upon the above findings, the JPOIG recommends:

1. LBCP VFC should cease the practice of permitting individuals to reside full-time at the fire stations; and
2. LBCP VFC should cease any practice, if such exists, of permitting firefighters' children to visit firefighters at the stations for prolonged visits or overnight.

Additional JPOIG recommendations based on the investigation, but not directly related to the anonymous complaint:

1. LBCP VFC and the Parish should review property holdings to ensure that all immovable property is properly titled per the CEA, Section 1, Paragraph 2 (d).

OBJECTIVES, SCOPE, & METHODOLOGY

Objectives, Scope & Methodology

The JPOIG initiated an investigation. The objectives were to compile relevant information in an unbiased manner to fairly assess the probability of the alleged impropriety, violations of policies, or violations of laws.

The scope or relevant time period was 01/01/2020 to 12/31/2022.

The JPOIG relied upon the following methodologies and techniques to ensure that information gathered was sufficiently reliable:

1. Conducted interviews with people.
2. Performed public record searches.
3. Researched Louisiana State Laws and Parish Code of Ordinances.
4. Researched Parish budgets and Council Resolutions.
5. Requested records from the Parish, Registrar of Voters, PIAL, and the LBCP VFC.

Summary of Investigative Actions

The JPOIG obtained the Parish's Fire Protection District No. 4's CEA with the LBCP VFC.

The JPOIG ran public record searches, to include voter registrations (obtained from the Registrar of Voters), court records, bankruptcy records, and/or SOS Business Filing records. The JPOIG compared these records to LBCP VFC's 2020-2022 payroll records, 2020-2022 rosters of paid firefighters, and 2020-2022 rosters of volunteers.

The JPOIG interviewed Chief Linton Duet.

Investigative Standards

We conducted this investigation in accordance with the Principles and Standards for Offices of Inspector General.²⁰ These standards require that we plan and perform the investigation to obtain sufficient, competent, and relevant evidence to afford a reasonable basis for our findings and conclusions. We believe that the evidence obtained affords a reasonable basis for our findings and conclusions.²¹

Legal Authority

The authority to perform this investigation is established in Jefferson Parish Code §2-155.10 and La. R.S. 33:9613.

²⁰ "Quality Standards for Investigations by Offices of Inspector General," *Principles and Standards for Offices of Inspector General* (Association of Inspectors General, 2014).

²¹ "Quality Standards for Investigations by Offices of Inspector General," *Principles and Standards for Offices of Inspector General* (Association of Inspectors General, 2014).

PARISH & NON-PARISH ENTITY COMMENTS

Pursuant to the Jefferson Parish Code of Ordinances (JPCO), the JPOIG must provide a draft of the report or recommendations to the person or entity being reported. The JPCO §2-155.10(9)(c) provides the following for all Parish individuals or entities:

...person in charge of any parish department, agency, board, commission, the parish president, the parish council, or any member of the parish council or person in charge of any parish department [and these persons] shall have thirty (30) working days to submit a written explanation or rebuttal of the findings before the report or recommendation is finalized, and such timely submitted written explanation or rebuttal shall be attached to the finalized report or recommendation.²²

On 10/18/2023 the JPOIG provided the Confidential Draft Report to the following Parish entity:

Office of Fire Services Director Don Robertson

Copies were also provided to Parish President Cynthia Lee-Sheng, the Parish Attorney, the Chief Operating Officer, and the Chief Administrative Assistant – Compliance & Research.

The JPOIG received a response from Parish President Cynthia Lee-Sheng dated 12/04/2023. The response stated that:

Since April 20, 2021, only one (1) resident operator resides at a District station, (specifically) Station No. 41. Current and past operators and volunteers have resided at District Stations pursuant to established guidelines.

Full time residency at stations comports with LBCP obligations stated in Article I, Section 1(1) of the CEA and provides valuable services to the District.

The JPCO §2-155.10(9)(d) provides the following for all non-Parish individuals or entities with:

a copy of the report after thirty (30) working days and [those individuals or entities] shall have twenty (20) working days to submit a written explanation or rebuttal of the findings before the report or recommendation is finalized, and such timely submitted written explanation or rebuttal shall be attached to the finalized report or recommendation.²³

On 12/05/2023, the JPOIG provided the Draft Report to the following non-Parish entities:

LBCP VFC Chief Linton Duet

LBCP Board President Remy Ronquille

The JPOIG did not receive any comments from the non-Parish entities.

²² JPCO §2-155.10 (9)(b).

²³ JPCO §2-155.10 (9)(c).

Parish & Non-Parish
Entity Comments





JEFFERSON PARISH

OFFICE OF THE PARISH PRESIDENT

CYNTHIA LEE SHENG
PARISH PRESIDENT

December 4, 2023

Via Electronic Mail

Jeffrey Adolph
Jefferson Parish Deputy Inspector General
990 N. Corporate Drive, Suite 300
Jefferson, LA 70123

Re: Administration Response to LBCP VFC-Residents at Fire Stations Investigation
Draft Report 2018-0013

Mr. Adolph:

In accordance with Jefferson Parish Code Section 2-155.10(9), the Administration respectfully submits this response to the above-referenced JPOIG Investigation Draft Report. In connection with the above-referenced matter, my staff met with the various Departments responsible for current oversight of the Lafitte/Barataria/Crown Point Volunteer Fire Company ("LBPC"), including the Office of Fire Services ("OFS") to discuss your Investigation Draft Report. Your Investigation Draft Report and those meetings produced many relevant suggestions that I believe warrant further action and corrective measures to ensure that policies are further developed and adhered to regarding LBCP.

The findings identified in the draft Investigation are addressed in detail below.

Finding No. 1: LBCP VFC employees and/or volunteers are using fire stations supported with public funds and/or owned by the Parish as full-time personal residences which may violate La. Const. Article 14, Section 7(a) and the terms of the contract with the Parish.

Since April 20, 2021, only one (1) resident operator resides at a District station, (specifically) Station No. 41. Current and past operators and volunteers have resided at District Stations pursuant to established guidelines.

Full time residency at stations comports with LBCP obligations stated in Article I, Section 1(l) of the CEA and provides valuable services to the District.

The OFS is currently identifying all movable and immovable property to ensure that all property is properly titled.

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In conclusion, the Administration is committed to continued discussion with and input from your Office so that prospective and existing policies and procedures are followed.

Thank you for your assistance, and for providing us an opportunity to respond.

If you have any questions, please contact me at your earliest convenience.

Sincerely,



Cynthia Lee Sheng
Parish President

cc: Mr. Steve LaChute, Chief Operating Officer
Ms. Cherreen Gegenheimer, Deputy Chief Operating Officer
Honorable Ricky Templet, Councilman at Large, Div. A
Honorable Scott Walker, Councilman at Large, Div. B
Honorable Marion Edwards, Councilman, Dist. 1
Honorable Deano Bonano, Councilman, Dist. 2
Honorable Byron Lee, Councilman, Dist. 3
Honorable Dominick Impastato, Councilman, Dist. 4
Honorable Jennifer Van Vrancken, Councilwoman, Dist. 5
Ms. Peggy Barton, Parish Attorney
Mr. David Courcelle, Deputy Parish Attorney
Chief Don Robertson, Fire Services
Ms. Kim Raines Chatelain, Jefferson Parish Inspector General

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