

State Police Commission

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August 27, 1993

General Circular No. 27

To: State Police Commission Members, Colonel Paul W. Fontenot, Russell J. Culotta, Foye L. Lowe, Jr., Rosemary Hannie, Walt Smith, Thomas H. Normile, Baxter W. Welch, Charles R. Dupuy, Mark Bascle, Allen T. Moss, Russell G. Fontenot, Michael D. Rawson, Roger L. Jaubert, James L. Matthews, III, Dennis J. Pellerin, Jerry W. Patrick, William B. Stewart and Russell Cook, Sr.

Subject: Revision of the State Police Commission Rules

The State Police Commission will hold a public hearing on Monday, October 18, 1993, at 9:00 a.m. to consider revising Chapter 13 of the State Police Commission Rules, as more fully set forth below, and all Chapters with regard to the following: State Department of Civil Service, Department of Civil Service and/or Civil Service Commission will be changed to State Police Commission, and the Director of the State Department of Civil Service will be changed to the Director of the State Police Commission. The public hearing will be held in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana.

Chapter 13

Appeals and Hearings

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13.12 Delay for Making Appeal.

(a) No appeal shall be effective unless a written notice complying with the requirements of Rule 13.11 is either (i) received in the office of the Director of the STATE POLICE COMMISSION at Baton Rouge, Louisiana or (ii) is addressed to the Director of the STATE POLICE COMMISSION at Baton Rouge, Louisiana, with proper postage affixed, and is dated by the United States Post Office.

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(b) Legal holidays and days on which the office of the STATE POLICE COMMISSION is closed shall not serve to extend the delay period specified in Sub-section (a) hereof.

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13.21 Subpoena of Witnesses; Production of Documents.

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- (b) For all hearings conducted after July 1, 1982, no subpoena will be issued unless a written request for the issuance of subpoenas is received in the office of the Director of the **STATE POLICE COMMISSION** no later than fifteen (15) calendar days before the date fixed for the hearing. The request for subpoenas shall contain the names of witnesses, the street address at which the witness can be served, and a brief statement of what is intended to be proved by each witness.

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- (d) For all hearings conducted after July 1, 1982, no subpoena for the production of books, papers, or other items will be issued unless a written request for the issuance of subpoenas is received in the office of the Director of the **STATE POLICE COMMISSION** no later than fifteen (15) calendar days before the date fixed for the hearing. The request for a subpoena for books, papers or other items shall contain a description of the items to be produced in sufficient detail for identification and shall contain the name and street address of the person who is to be required to produce the items and a brief statement of what is intended to be proved by each item.


13.37 Delay for Filing an Application for Review of a Referee's Decision.

- (a) No application for review of a Referee's decision shall be effective unless a written notice complying with the requirements of Rule 13.36 is received in the office of the Director of the **STATE POLICE COMMISSION** (located at 1885 Wooddale Boulevard, Suite 1111, Baton Rouge, Louisiana) within fifteen (15) calendar days after the date that the Referee's decision was filed with the Director. Applications for review of a Referee's decision may be mailed to the Commission at **POST OFFICE BOX 66555, BATON ROUGE, LOUISIANA 70896-6555**, but to be considered timely, the application must be properly addressed with proper postage affixed and must be postmarked by the United States Postal Service within fifteen (15) calendar days after the date that the Referee's decision was filed with the Director.
- (b) Legal holidays and days on which the office of the **STATE POLICE COMMISSION** is closed shall not serve to extend the delay period specified in Sub-section (a) hereof.

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Explanation

These changes are necessary to make Chapter 13, and the Rules as a whole, consistent with the Constitution and the intention of the Commission, as expressed at its December 19, 1990 meeting.

Sincerely,

A handwritten signature in black ink that reads "Debra L. Johnson". The signature is written in a cursive style with a large, prominent "D" and "J".

Debra L. Johnson
Director