

August 7, 2014

**Colonel Mike Edmonson, Superintendent
Louisiana State Police**

Re: SB 294/ Louisiana State Police Retirement System (LSPRS) Board Meeting

Colonel,

There is much attention on and discussion of anticipated action by the LSPRS regarding Legislation passed during the recent (2014) session of the Louisiana Legislature. We specifically refer to Senate Bill 294, now Act 859. While there are still unanswered questions regarding when and how the Amendment evolved, and who the participants were, what is clear is this bill as amended provides for you and one other Trooper to now revoke a previously irrevocable decision to enter the Deferred Retirement Option Program (DROP). The effect of this change increases substantially your Retirement Benefits, and most disturbing, the funding for it is **from the same fund that provides Cost of Living Adjustments (COLAs) to State Police Retirees, Surviving Spouses, and Orphans.**

You have been quoted in various reports as saying you “didn’t ask for the change to state law” and you “didn’t know who initiated it.” Later that same day you revised your statement to say you “did not request the change”, but your “staff” told you there was legislation available that would ‘fix not only you but other members,’ (We would find out two weeks later from State Senator Neil Riser, who had mounting pressure from media investigations that he “was asked by Louisiana State Police Deputy Superintendent Charlie Dupuy to offer the amendment, which became part of a bill to address rights of law enforcement officers. It was presented to me as addressing broad retirement issues”.) If, as you and Senator Riser have publicly stated, Dupuy provided false information, what he has done is at best unethical and possibly illegal.

You have also said, “Let’s let the board review it and make sure things are the way they should be, if not, let’s correct it.” A little over a week after your initial comments you issued a statement, “...regardless of what comes back from the review by the attorneys for the retirement committee, I’m going to follow my heart and not accept it..” “noting that you want to let the legislature review it next session based on any proper protocol.” Contrary to erroneous briefing points provided to you by Captain Jason Starnes, as reported in the media, this bill was not advertised as a Retirement bill. It does not meet constitutional requirements; the same Constitution you have sworn to uphold, therefore things ARE NOT “as they should be.”

Every Legislator that has commented on this issue has said they were unaware of what they had voted for and expressed concern and outrage that the true facts and impacts of the bill were hidden from them. Some have vowed to introduce changes to ensure in the future, this process is transparent. Additionally, several attorneys familiar with Federal and State Retirement laws and court rulings have agreed this is blatantly unconstitutional and suggested that the unintended consequences of this bill as it remains today could likely lead to a class action suit by all other State retirees who had the same decision as you regarding DROP, under Federal Equal Protection guidelines.

If they should prevail, the results would be catastrophic for all State Retirement Systems and detrimental to the State’s Credit Rating. This would in turn ensure significant impacts on the

citizens of Louisiana with most likely drastic cuts in Public Services and higher Education along with Tax increases.

In the face of all this, Colonel, it is being reported, and we have been told that the LSPRS may not be planning to conduct a meeting to hear the results of the investigation and take action. Other reports concern us in that Board members who work for or contract with the Department are purportedly being pressured by your “staff” to be loyal to you at all costs. In your statements, you encouraged an investigation, and further declared you would not accept the benefits provided for in this legislation. Therefore we don’t understand why action by the Board would be of concern to you or your staff unless your intent is other than you’ve stated.

In fact based on your previous statements it would appear that Board action to challenge and enjoin legally this unconstitutional, ill conceived and poorly thought out law is consistent with what you have said publicly and is in the best interests of the other State Police Retirees and all citizens of Louisiana.

This matter and the subsequent actions surrounding this law are seriously eroding the public’s confidence in and the Integrity of State Police. This affects not Department trust from the Legislators, essential to the future success of State Police, but also the trust of the Public that reflects on every Trooper who puts on that uniform and badge each day. That is unfortunate because Louisiana State Police Troopers are dedicated and professional men and women who risk their lives every day in service to the citizens. They deserve better than this and we demand better on their behalf.

Colonel Edmonson, you have said this is a distraction to our Troopers. We agree and therefore call on you to openly and publicly demand the Louisiana State Police Retirement System Board take immediate action to legally enjoin Act 859 and further seek a ruling on this unconstitutional law.

If your intent is to pursue this openly next year in the Legislature, this action will clear the air for that to occur in an open forum without the hint of impropriety. You know that should Act 859 remain as law, the Legislature could simply not act next year, or should some change occur (even not of your own making) to require you to retire before you plan, the law as passed is binding on the LSPRS and on you. To ignore this subjects the State to liability.

We look to you to resolve this, but make no mistake, we will not allow this unconstitutional and damaging law to stand, until we have availed ourselves of all options and all avenues have been pursued. We feel it does no good to the long history of honor and integrity of the Louisiana State Police for us to have to resolve this instead of the Legislature, the LSPRS Board, or you. But know this, we will support and protect the other Retirees, Surviving Spouses and Orphans as well as the citizens of this State, as we once took an oath to do, by any legal means at our disposal.

Sincerely,

Concerned Louisiana State Police Retired Members

c\ The Honorable Bobby Jindal, Governor, State of Louisiana