

STATEMENT OF CHARGES AGAINST

GUSTAVO CULBEAUX

A MEMBER OF THE MINNESOTA STATE PATROL

Lt. Colonel Rochelle Schrofer, as Assistant Chief of the Minnesota State Patrol, files with the Commissioner of Public Safety, State of Minnesota, the following Statement of Charges against Trp. Gustavo Culbeaux (badge number 207), a member of the Minnesota State Patrol, who she believes is guilty of:

Violations of:

- General Order 20-10-029, Conduct – Sworn Members
 - IV.A. Sworn members of the State Patrol shall conduct themselves, whether on duty or off duty, in accordance with the Constitution of the United States, the Minnesota Constitution, and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.
 - IV.D. Sworn members shall not, whether on or off duty, exhibit any conduct which discredits themselves or the department or otherwise impairs their ability or that of other officers or their department to provide law enforcement services to the public.
- DPS Administrative Policy #1003, Conduct Unbecoming a Peace Officer
 - Peace officers shall conduct themselves in accordance with the Constitution of the United States, the Minnesota Constitution and all applicable laws and rules enacted or established pursuant to legal authority.
 - Peace officers shall not exhibit any conduct which discredits themselves or their department or otherwise impairs their ability or that of other officers of the department to provide enforcement services to the community.

Circumstances related to the above allegations are as follows:


The district investigation supported a finding that on November 13th, 2018, Trp. Culbeaux, while off duty and driving his personal vehicle, violated agency policy and state law by driving down the shoulder of MNTH 62 after the highway had been temporarily shut down by troopers for a Vice Presidential detail.

The investigation supported a finding that Trp. Culbeaux admitted to passing other vehicles that were stopped in the traffic lanes of MNTH 62 and admitted he knew it was illegal to drive on the shoulder of the roadway.

The investigation supported a finding that Sergeant Scott Wahl was one of troopers responsible for shutting down MNTH 62 to allow for secure motorcade movement of the Vice Presidential detail. After he stopped the flow of traffic, he observed two vehicles driving down the shoulder toward him. The two vehicles stopped on the shoulder after observing Sergeant Wahl's squad car. Sergeant Wahl exited his vehicle and approached the two vehicles, one of which was being driven by Trooper Culbeaux, whom he recognized.

Trooper Culbeaux's actions violated Minnesota traffic law and his behavior certainly fell short of agency expectations.

Dated: February 8, 2019



Lt. Colonel Rochelle A. Schrofer
Assistant Chief

DATE: February 8, 2019

TO: Trp. Gustavo Culbeaux
District 2500

FROM: Lt. Colonel Rochelle Schrofer *RS*
Assistant Chief

PHONE: [REDACTED]

SUBJECT: NOTICE OF INTENT TO TAKE DISCIPLINARY ACTION

The investigation into the allegations contained in the attached Statement of Charges has been completed and the allegations have been sustained. It is my intent to take disciplinary action against you in this matter.

You are entitled to an informal meeting for the purpose of allowing you to review the charges against you, review the evidence, and present any additional information on your behalf. Be advised that an Association representative may be in attendance as directed by the trooper's labor agreement.

I have scheduled the meeting at 0630 hours on Friday, February 15, in the Earle Brown conference room at Headquarters.

Attachment

cc: Major Meagher
Captain Bartell
Trp. Dellwo
Lynn Mueller
Jodean Thronson

DATE: February 15, 2019

TO: Trp. Gustavo Culbeaux
District 2500

FROM: Lt. Colonel Rochelle Schrofer *RS*
Assistant Chief

PHONE: [REDACTED]

SUBJECT: LETTER OF REPRIMAND

This memo shall serve as a written reprimand for violations to General Order 20-10-029 IV.A. and IV.D. and DPS Administrative Policy #1003 as outlined in the Statement of Charges dated February 8, 2019.

Per Article 15, Section 1, of the MLEA Work Agreement, a copy of this letter of reprimand will be placed in your Human Resources personnel file. Provided no further disciplinary action is taken against you for a period of two years from the date of this letter, you may request in writing that it be removed from your file.

Be advised that any same or similar conduct may result in further disciplinary action.

This written reprimand may be appealed pursuant to grievance procedures set forth in Article 16 of the work agreement.

cc: Major Meagher
Captain Bartell
Trp. Dellwo
Lynn Mueller
Jodean Thronson
Julie Bever