

LOUISIANA BOARD OF MASSAGE THERAPY

IN THE MATTER OF

KEVIN BROOKS

LICENSE NO. 4475

INTERIM CONSENT AGREEMENT AND ORDER

NOW COME, KEVIN BROOKS (License No. 4475)(“MR. BROOKS”) and the LOUISIANA BOARD OF MASSAGE THERAPY (hereinafter the “Board”), appearing through its Chairperson, Kathy Lea Love, who agree as follows:

1.

MR. BROOKS is licensed by the Board as a massage therapist in the State of Louisiana, pursuant to the Louisiana Massage Therapists and Massage Establishments Act, La. R.S. 37:3551 *et seq.*, as evidenced by License No. 4475.

2.

On July 12, 2022, the LBMT received an Affidavit of Probable Cause regarding the arrest of Mr. Brooks by the Baton Rouge Police Department (“BRPD”) relative to charges that he violated La. R.S. 14:89.3(7), entitled “Sexual Abuse of an Animal – Filming, distributing or possessing pornographic images of a person and an animal engaged in any of the activities described in Paragraphs (1) through (6) of this Subsection,” La. R.S. 40:966(C), entitled “Possession, Schedule I;” La. R.S. 14.81.1, entitled “Pornography involving juveniles,” La. R.S. 40:967, entitled “Possession/Distribution/Manufacturing Schedule II,” and La. R.S. 40:1023, entitled “Possession of drug paraphernalia,” which actions allegedly occurred at the location of his home, located at 2622 Lydia Ave., Baton Rouge, Louisiana. Mr. Brooks’ registered address for his massage practice is his home address, 2622 Lydia Ave., Baton Rouge, Louisiana. The Affidavit of Probable Cause, was filed with the 19th Judicial District Court on July 11, 2022.

3.

The Affidavit of Probable Cause further provided that on June 28, 2022, detectives with the BRPD, Special Victims Unit, received a complaint of a sexual offense that was said to have occurred at the home of Mr. Brooks. The complainant advised that while at the home of Mr. Brooks to perform home renovations, he requested to use Mr. Brooks' computer. After receiving authorization to use the computer from Mr. Brooks, the complainant inadvertently clicked the wrong icon and discovered a video of an adult male masturbating in the presence of a toddler. Subsequently, on July 6, 2022, detectives obtained an ICAC (Internet Crimes Against Children) search warrant for the properties owned by Mr. Brooks, including his home, as well as all electronic devices therein.

4.

The BRPD affidavit further provided that on July 8, 2022, detectives, with the assistance of the Attorney General's Office Cyber Crimes Unit, executed the search warrant at Mr. Brooks' properties, including his home, and located the following:

1. At least six (6) videos that depicted male subjects engaged in sexual acts with what appeared to be very young children on Mr. Brooks' cellphone.
2. At least six (6) images of people performing sexual acts with/on animals on Mr. Brooks' cellphone.
3. One plastic bag containing a large amount of a white powder substance, suspected to be Cocaine.
4. One plastic baggie of what appeared to be crystal methamphetamine.
5. Multiple glass pipes that had been burned on one end.

5.

The criminal case against MR. BROOKS relative to the above listed charges is currently pending in the 19th Judicial District Court, East Baton Rouge Parish, *State of Louisiana v. Kevin Brooks*, Docket No. J-220214902. The criminal case is not yet set for trial.

6.

After learning of the above information related to MR. BROOKS' alleged conduct, on July 13, 2022, James E. Steele, the Complaint Investigation Officer for the Board, signed an Order of Summary Suspension, summarily suspending the license of MR. BROOKS, pending a hearing in the matter, scheduled for August 19, 2022.

7.

Disciplinary counsel for the Board communicated with counsel for MR. BROOKS, who indicated that MR. BROOKS desired to resolve this matter through an Interim Consent Agreement and Order. Accordingly, in order to avoid a disciplinary hearing until the criminal matters involving MR. BROOKS have been resolved, the parties agree to the following, to be made an Order of the Board:

- a. The SUSPENSION of License No. 4475 issued to KEVIN BROOKS shall continue in effect, and his license is indefinitely SUSPENDED. Thus, while this Interim Consent Agreement and Order is in effect, MR. BROOKS is precluded from providing massage therapy services in any capacity. MR. BROOKS represents that he has not worked as a massage therapist since receipt of the Order of Summary Suspension.
- b. Before further proceedings in this matter may take place, including an informal conference, filing of an administrative complaint, or an administrative hearing regarding the merits of the complaint against MR. BROOKS, the following conditions must be met:

- (1) The criminal case against KEVIN BROOKS in East Baton Rouge Parish resulting from the arrest noted above must be entirely concluded, including all appeals.
 - (2) KEVIN BROOKS must have served the entire sentence, if any, arising from the pending criminal case, including probation, parole and/or supervised release.
- c. MR. BROOKS waives any potential defense he could make regarding the timeliness of the administrative proceedings brought by the Board if the proceedings are initiated after the time allowed pursuant to any administrative rule or law governing same.

8.

By signing this Interim Consent Agreement, MR. BROOKS agrees that the Board has jurisdiction in this matter, and waives his right to a formal administrative hearing and to judicial review of this Interim Consent Agreement. However, MR. BROOKS reserves the right to a formal administrative hearing relative to the merits of the case against him once the conditions at Paragraph 7 above, are met. While this Interim Consent Agreement is in effect, MR. BROOKS shall continue to renew his license with the Board.

9.

By signing this Interim Consent Agreement, MR. BROOKS agrees that any failure to comply with the terms of this Agreement is a basis for discipline by the Board.

10.

MR. BROOKS further understands that this Interim Consent Agreement shall constitute a Public Record pursuant to La. R.S. 44:1 *et seq.* and is considered disciplinary action by the Board.

11.

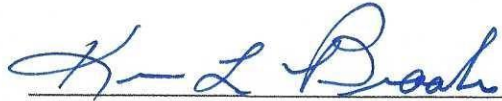
The parties agree that this Interim Consent Order does not serve as a resolution of the captioned complaint and is merely being entered into on an interim basis until the pending criminal charges are resolved.

12.

Both MR. BROOKS and the Board stipulate that this Interim Consent Agreement shall not become effective and shall not become binding on the Board unless and until approved by the Board at a meeting of a quorum of the Board.

I, KEVIN BROOKS, understand that this Agreement is effective upon an affirmative vote by the Board at a formal meeting. It is also understood that should the Board not approve the Interim Consent Agreement, my agreement thereon does not preclude the Board from requiring a formal hearing of my case. I further understand that should this Interim Consent Agreement not be accepted by the Board, the presentation to and consideration by the Board of this Agreement, including presented documentary evidence and information, shall not unfairly or illegally prejudice or preclude the Board, or any of its present or future members, from further participation in hearings or resolution of these proceedings. MR. BROOKS also specifically authorizes a member of the Investigative Committee, the Board Administrator, or the Board attorney to present this Agreement to the Board for its consideration, and to fully disclose to and discuss with the Board the nature and results of the investigation, and he waives any objection to such disclosures under La. R.S. 49:950, *et seq.*

SIGNED, AGREED TO, AND ENTERED on this 12 day of August, 2022.



KEVIN BROOKS (License No. 4475)

Submitted for Board Approval By:

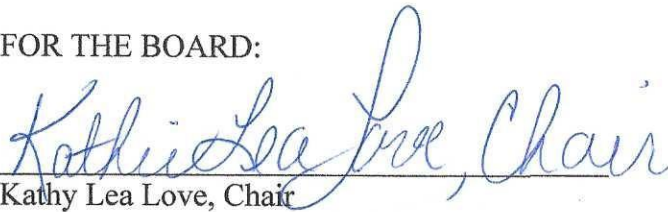


James R. Raines, Prosecuting Attorney

BOARD ORDER
and
ACCEPTANCE OF THE INTERIM CONSENT AGREEMENT BY THE
LOUISIANA BOARD OF MASSAGE THERAPY

By a majority vote of the Board members voting in favor of the foregoing Interim Consent Agreement at the Board meeting on August 19, 2022, the Board hereby adopts said Agreement, and makes it an Order of this Board.

FOR THE BOARD:



Kathy Lea Love, Chair