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Concerned Citizens of St. Tammany District Attorney Debates 2014

Rick Franzo, President of CCST

Opens with prayer “Always remember to help another person”

Integrity – single most important attribute needed in Government Leadership

Moderated by Don Dubuc, radio personality WWL870 & 105.3

Candidates: Alan Black, Slidell; Roy Burns, Covington; Warren Montgomery, Covington; Brian Trainor, Lacombe

Opening Statements

Trainor begins by asking the audience for a show of hands, who watched a news report of a violent crime on local or regional news within the last week. Several hands raise. How many on the North Shore? Hands go down.

Trainor: “That is because St. Tammany is Safe, this is not Orleans Parish. We have a unique partnership with police, community and the D.A.’s office, but we must remain prepared and vigilant. There is a clear choice in this election, and I am that choice.”

The only candidate to serve in public safety/law enforcement; Assistant D.A.; Chief Deputy Sheriff; Fair, compassionate – will protect the citizens

Burns: 38 years experience working with past D.A.’s and Sheriffs; No ties to existing offices; He expects to work for the citizens as a public servant

Black: 30 years experience as a lawyer; ad hoc judge – fair but firm and smart on crime; he will be giving up a successful private practice to serve as D.A.; integrity, reform and transparency are needed

Montgomery: Focus on fair and safe communities; not about the “good old boys”; determine who to vote for by what they have done in their life; upheld the constitutional rights of the public as a defense attorney; will make a good, aggressive, fair and honest D.A.

Question 1: On corruption in the D.A.’s office (directed to Black): What will you do to rebuild trust in the community with regard to transparency and accountability in the D.A.’s office?

Black: Plans to hire Dr. Dan Kyle (sp?) formerly of the State Legislative Auditor’s Office – his experience will bring transparency to the office; hire qualified individuals to establish proper protocol; there is written protocol needed for the office to follow

Burns: Transparency begins with leadership; it is public money, scrub the budget until it squeaks.

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Montgomery: The most important thing in any organization is the people; hire people with integrity based on qualifications, not connections; supports the idea of an independent audit, public integrity unit, self imposed limit of two terms.

Trainor: Enhanced legislative audit; budgeting process – present a plan.

Black: Transparency is the word of the night; at ground zero, need to rebuild trust.

Question 2: What plans will be implemented to ensure the office is a good steward of public money?

Burns: Transparency will be accomplished by putting together a budget that is squeaky clean; cut large amounts of waste at the top; eliminate enhanced retirement funds.

Montgomery: Audits for transparency; for everyone that has operated a small business, or raised a family – if you go over budget, you must cut things out; he understands this concept and will apply it to the office.

Trainor: At the Sheriff's Office, was instrumental in part of a 60 million+ budget; transparency accomplished by making everything accessible to the public, open and honest.

Black: Looking at the way tax dollars are used, departments need to be restructured; re-evaluation of where the money is going; redistribution of services needed as needs arise.

Burns: Strong leadership with an open and transparent public budget; like Montgomery, understands the importance of running a business successfully and applying that knowledge.

Question 3: If elected, what plans do you have to prosecute corruption in Washington Parish and St. Tammany Parish?

Montgomery: Experience as a Federal Prosecutor, performed an unbiased duty; has the strength to do what's right, even if it's not what's popular; went after corruption; "I Won't Back Down as your D.A."

Trainor: Set up/develop a white collar crime unit geared towards political corruption; address the issue of identity theft, becoming a growing concern in both parishes.

Black: If auditor finds wrongdoing, offenses will be prosecuted; they need to pay the price; people have been getting away with wrongdoing for too long; those days are over, "we need change."

Burns: “I can’t change human nature, but I can change the attitude towards it;” will budget for an Inspector General off site, with an attorney holding subpoena power; white collar, political – will be tough on crime and keep the community safe.

Montgomery: Establishing all the public integrity units in the world – the D.A. has nothing to do with an Inspector General - it doesn’t matter if you do not have the will and gumption to prosecute – “I have that will and I’ll use it as your D.A.”

Question 4: (nepotism and conflicts of interest) What will your policy be on recusals?

Trainor: Only offer recusals in the furtherance of justice; should not be used as a tool or leverage over a defendant; every defendant has the right to go to trial, they have a right to have their day in court; it’s not up to the D.A. to use power and weight of evidence to compel a person to either plead guilty or succumb to the pressures of the Criminal Justice System.

Black: Recusal is being overused right now; recusals are mandatory when the reasons exist.

Video Ends, next question is asked regarding open meetings; Burns picks up on next segment-

Burns: This issue shows why I am going to be different than what’s been happening before; decentralize the power of the D.A.; there are inherent conflicts of interest between the D.A.’s Office and the people that they represent on a Civil nature; “I am going to change that, I am the agent for change”; the office should not be beholding to the public bodies; decentralization of the D.A.’s Office.

Montgomery: Served on a public body – Pelican Park; intent is key – if the intent is to keep the public from having the information they need, that person or group should be prosecuted; the D.A. should however, use discretion, and not throw people in jail for a technical violation.

Question 5: What are the plans to reduce access (to drugs) and address addiction-related crime in St. Tammany? Or are you of the opinion that these crimes are properly/adequately addressed?

Trainor: Platform for D.A. is tough, fair and compassionate; D.A. can address addiction issues in the screening process – then refer to specialty programs (diversion programs); ran a diversion program in 2002 – incredible changes can be made in people’s lives – witnessed it first hand; the real power of the D.A.’s Office is to help people with substance problems turn around and become productive members of society.

Black: "I do believe in second chances"; diversion program has been a good one, but "we've got to be tough on drugs!" – no way around that – 80% of our violent crime is because of drug addicts – meth cookers, heroin users

Burns: Tough on crime; Offer an opportunity to change lives; effect his leadership will have will be like a sign "Do not enter (St. Tammany) drug dealer, because I'll put you in jail for a long time."

Montgomery: Prosecuted major cartels – very aggressive – what's going to change the drug trend is to focus on strengthening family units – strong communities will curtail drugs; drug dealers will be put away.

Trainor: Career law enforcement; has heard dealers say to peers, don't bring that to St. Tammany, they don't play; "We are not Orleans Parish."

Question 6: Support term limits, yes or no?

Black: Openly and publicly – I do not oppose term limits - three terms – should be sufficient to apply to every level of government.

Burns: Beholding to no one in Washington or St. Tammany Parish; put some pizzazz back in there; wants to fix the office and walk away after one term; yes.

Montgomery: I brought it up because it's important; "absolute power corrupts absolutely"; as a leader surrounding yourself with people who will stand up to you and say, no, you can't do that – that's what we need – I will surround myself with those people – qualified people, people with integrity – talent and ability – I will not serve more than two terms.

Trainor: "I am beholding to someone – that's to the voters. Let the public decide on term limits – it's not up to me, or the D.A. to impose that on the rest of the elected officials, let the public tell us. I am not saying I will serve more than two or less than two - I'll serve as long as the public will have me."

Black: (The record) will be judged every term, if the job is ineffective, vote them out, but I support three terms.

Question 7: Should the Sheriff's Office also be investigating the D.A.'s Office for any violation of State Law?

Burns: If there is a violation of criminal law, they should be prosecuted (uses Galvan as example); there has to be a separation between the Sheriff's Office and the D.A.;

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electing Trainor will be like having the Sheriff run the D.A.'s Office; won't have that; "I'm not afraid of the Sheriff."

Montgomery: Only candidate to have experience as a Federal Prosecutor; not going to tell you what the feds should or shouldn't do; Walter Reed is entitled to a fair trial – not going to judge him tonight – we don't know all the facts – if he's indicted, he'll have his fair trial; that's why we have Federal Prosecutors; they have what it takes to pursue these types of crimes; they do their job; as D.A., I will do mine; the feds are the only ones in the position to render a judgement in that situation.

Trainor: "I believe that the Federal Government should investigate this – it should not be the Sheriff's Office"; there is a partnership in law enforcement – the Sheriff's Office, the municipal police departments – everyone is a partner in this criminal justice system – they have to have a good working relationship with the D.A.'s Office.

Black: If there is a state crime, the Sheriff's Office has an obligation to investigate and the D.A.'s Office has an obligation to prosecute – there's no "put it off to the Federal Government"; if there's a state crime, it's the Sheriff's obligation to pursue it.

Burns: Passionate about being different for the Office; with Reed's downfall (at his own making) the Sheriff said, that's my friend, and he did a good job; I would have said, Mr. Reed, you have done wrong; you've destroyed your life, you've destroyed your family's life, you've destroyed others' lives, shame on you, you've done wrong; I'm gonna do better.

Conclusion of 2<sup>nd</sup> segment

Burns (to Trainor): In your eight years with the D.A.'s Office, what were your efforts in achieving accountability and transparency regarding the work release program, nepotism and other abuses of office?

Trainor: (regarding Pick & Pleas) Was not aware, that is between the felony prosecutors and the judge; I did not report those because I was not a part of that process. In the event of any violation of policy or law, I would have reported that; I am not aware of any violation of policy or law by assistant D.A.'s; (with regard to the Sheriff's Office) There have been no demotions, suspensions for any of the matters in question; "I can't report it if it didn't exist."

Burns: "Brian, you're not telling the truth – you're probably mistaken. I'm positive." (Trainor) and his law partner, a full time district attorney, the judges pay his law partner \$161,000 over the course of a few years – that's called "curatorship." It is an abuse – his law partners sue people who are being prosecuted by the D.A.'s Office, and Mr. Trainor knows that - and Mr. Trainor does also know – about several deputies in this program – who worked for the sheriff – who have been demoted for doing their job; if you would like their names I will tell them after the conclusion of this matter.

Trainer: “First, let me thank Roy for telling me what I know - curatorships, as Roy just explained, are appointed by a judge - a local attorney to represent an absent defendant in either adoptions, home foreclosures, things like that; I don’t have the authority or the power to appoint anybody; if the judge appoints a local attorney to represent someone in a case, they represent them. “Not my decision, not my responsibility.”

Black (to Burns): What are you referring to when you say courthouse politics and what concerns do you have?

Burns: I have tremendous concerns that full time assistant d.a.’s are out there with a full time law practice; at the same time the practice that I’m talking about in terms of the curators referenced – the “special” people get many - the “regular” people get few – we have way too many special people in St. Tammany; what sets me apart is that I’m going to end the practice of special people – I want the people of St. Tammany to be special, and not the people who feed off the trough.

Black: “Courthouse Politics” should be a concern to everybody; too much closeness between judge, D.A. and Sheriff; it creates problems where people do not get treated fairly; that’s what’s been going on; the separation of power that was inherently built into our constitution that creates the difference between one agency from another, they all have to work together in some way to make judicial reform and create efficiency for taxpayers across the board; you cannot have a person that is also indirectly so tied to one agency so that he’s – consumed in another position in that same triangle – that’s necessary.

Burns: Agent for change; full time D.A. should be accessible, open and fair to everyone in the Parish.

Trainer (to Black): How important is it for the D.A. to have a strong working relationship with the Sheriff and other law enforcement agencies in the community?

Black: Cannot have a Sheriff’s Deputy that does not know the law. Education on properly obtained evidence is important. Would like a monthly meeting with all police agencies to understand proper protocol of law enforcement and collection of evidence.

Trainer: There must be a partnership between the D.A.’s Office and law enforcement. Accountability for actions; ensure that state and federal constitutions are followed.

Black: Imperative that there is communication, but the same person making the arrest cannot be the same person prosecuting – that cannot happen here.

Questions from audience, to Trainer: Will your association with the Sheriff’s office conflict with a position as D.A.?

Trainer: I'll have the courage to sit across the table from friends and terminate their job with the Sheriff's Office – guys that I've known for a long time, because of doing things inconsistent with the office's mission statement – those decisions aren't that difficult – as long as you keep sight of the fact that you're there to uphold the public's trust. Friendships are one thing, but this is for the public. The screening process in the D.A.'s Office will change under my leadership. It needs to be changed, you need more than one set of eyes on that paperwork.

Question from audience, to Montgomery: Why do you believe so strongly in term limits – do multiple terms allow for abuses, in your opinion?

Montgomery: It's human nature for someone who's been in power too long to let that power go to their head and affect their judgement. That's why I'm in favor (of term limits) – for myself – self imposed term limits – because we just know what human nature is like. We need to exercise that kind of self control so that you, the people, get the kind of justice that you deserve and that I demand.

Question from NAMI about mental illness and the judicial process.

Question from Winston Cavendish: To all candidates – no one has mentioned the murder of Margaret Coon, an Assistant D.A. murdered in broad daylight – a boy scout could solve this case – now - I put this at your feet – we have more than five (unsolved) political crimes in St. Tammany Parish – when I ran for Sheriff, my home was shot up, I lived a living hell; I had a deputy U.S. Marshall at my house for protection – I've been shot at by a Deputy Sheriff (while on duty), beaten up severely on top of the high rise bridge, in Slidell – I couldn't work in this state, I had to go to Texas – I come to you tonight – let's get out there and solve the first major crime – if we cannot solve on of the most heinous crimes in St. Tammany, I think we ought to pack up our law books and walk into the sunset – because it's time for some justice – each and every one of you hearing this from me – because I care –

Franzo intervenes - asks each candidate to answer.

Trainer: I'm a little cloudy on what the question is, but if it's in regard to an unsolved murder case – again, the D.A.'s Office should not be investigating agencies, you know this, you've been a policeman a long time, I would have one of our divisions assist, police partner with the sheriff's office, I believe was jurisdiction in that case – to look at their cold case files and make sure that they go through with a fine tooth comb to see if there's any evidence that can be collected and tested and that it's done – the families deserve a full and thorough investigation. I agree with you on that 100%. This is ...we're committed to the public's trust in law enforcement. The only way you earn that is to do 110% in every case, you can't cut corners, you can't take the easy way out. I agree with you that those unsolved cases, they deserve attention, they deserve all the attention that we can allot to them, but as you know too, sometimes the evidence is not there. We cannot just jump off a cliff and go make an arrest on somebody if we're not

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prepared to go through the whole distance and obtain that conviction at the end. (He's Going The Distance) Again, we can't use the Sheriff's Office and the D.A.'s Office as a means to get what we want. We have to make sure the evidence supports the crime and the charge. Thank you for the question.

Montgomery: Thank you for asking that question – the murder of an assistant d.a., sex crimes division – I will spend whatever resources and time necessary to solve this case.

Burns: I stated over 90 days ago that Margaret Coon's case needs attention. Her case will be solved with people like you. I want her case to be handled for her, and for the people of St. Tammany.

Black: Crimes that were unsolved 20-30 years ago can now be solved with current technology not available then – we see it all the time. I'm not saying that anyone's not doing their job – and it will be solved with me – there's not reason this case cannot be solved with current forensic technology.

Commentator - Wow, I am very appalled at this – that is outrageous – everybody should been bum-rushing the d.a.'s office to get justice for this family –  
Belinda Parker Brown – Louisiana United International – a force for justice