

centerforconstitutionalrights

October 27, 2017

Via Email

Captain Maurice Bostick
Director of Business & Legal Affairs
Civil Department
St. Charles Parish Sheriff's Office

Re: Public Records Request

Dear Capt. Bostick,

We are in receipt of your letter of October 17, 2017, along with 61 pages of records produced in response to our request of September 18, 2017.

As a preliminary matter, we note that your correspondence included an invoice for fees for research, copies, and postage in the amount of \$57.30. However, we requested a waiver of all fees as the request is in the public interest and for a public informational purpose. We ask that you please advise whether you are denying our request for a fee waiver and, if so, on what basis.

Secondly, we ask that you confirm whether you have withheld any responsive records. If so, please indicate which category of request those records relate to and the basis for why you think those records should be withheld.

Finally, in an effort to avoid the expense and inconvenience of litigating this request, we ask that you please respond to the following with respect to the specific categories of information sought:

“1. Sheriff Greg Champagne’s trip to North Dakota in October 2016 to observe the law enforcement response to the protests against the Dakota Access Pipeline Project as described [here](#) (See Attachment 1) and on his Facebook page [here](#) (See Attachment 2).”

We note there were no records provided relating to this category. It does not seem reasonable that there would be *no* public records relating to Sheriff Champagne’s October 2016 trip to North Dakota. Even if that trip was undertaken in a different capacity or funded by a different entity, there would likely be responsive and relevant Sheriff’s Office records relating to that trip, such as, for example, emails or text messages with staff concerning his time away, internal reports, photos, and/or communications concerning the trip and/or related to deployment of other employees to North Dakota. Please advise if a search was conducted for records responsive to this request and, if so, what that process entailed, including what was searched and how. If a search was not conducted for these records, please advise whether you will undertake a search and an estimate as to timing of a response.

“2. Any travel by St. Charles Parish Sheriff’s Office (SCSO) employees to North Dakota in connection with the Dakota Access Pipeline and/or protests against it.”

The bulk of documents provided in response to this request consisted of bookkeeping records detailing expenses for trips to North Dakota by Sheriff ‘s Office employees and reimbursement invoices through the Emergency Management Assistance Compact process. It does not seem reasonable that there would be no other responsive records relating to this category of records sought, such as emails, text messages, reports, photos, videos, receipts, etc.

In particular, we note that an email dated January 4, 2017, from Cecily Fong, attached hereto, indicates that Sheriff’s Office employees Capt. Patrick Yoes and Robert Riddick were requested to return to North Dakota to “assist with training so we are able to continue the ‘Know the Truth’ video series they created.” It seems highly likely there would be additional records relating to this request category, such as, but not limited to, training materials, emails, text messages, or other forms of correspondence with counterparts in North Dakota. Likewise, if St. Charles Parish Sheriff’s Office employees recorded video or audio, raw or edited, or took photographs, or obtained copies of such while deployed in North Dakota or as part of the assistance they provided to enable local law enforcement to continue the video series, those would constitute public records for purposes of this request as well. Please advise whether you will undertake a search for additional records related to this category of records and, if so, an estimate as to timing of a response.

“3. Communications between Sheriff Greg Champagne and/or other employees or agents of the SCSO and officials, employees, or agents of Energy Transfer Partners (ETP).

“4. Communications between Sheriff Greg Champagne and/or other employees or agents of the SCSO and officials, employees, or agents of Dakota Access, LLC.”

“5. Communications between Sheriff Greg Champagne and/or other employees or agents of the SCSO and officials, employees or agents of TigerSwan, LLC, including but not limited to communications with James Reese, TigerSwan founder and chairman, and James “Spider” Marks, chair of the TigerSwan advisory board.”

Please advise whether searches were conducted for records responsive to each of the above categories and, if so, what that process entailed. If searches were not conducted with respect to these requests, please advise whether you intend to do so and, if yes, provide an estimate as to timing of a response.

“6. All communications between Sheriff Greg Champagne and/or other employees or agents of SCSO, concerning the Dakota Access Pipeline and/or the proposed Bayou Bridge Pipeline, including but not limited to communications with federal, state, county, parish, city or town officials and/or individuals in the private sector.”

Considering that Sheriff Champagne went to North Dakota in October 2016 to observe the law enforcement response to protestors of the Dakota Access Pipeline, that a number of St. Charles Parish Sheriff’s Office employees were subsequently deployed to North Dakota in November 2016 and February 2017 to assist local law enforcement there (including by producing a video series), and that the National Sheriffs Association, for which Champagne served as president from 2016-2017, [has](#)

[gone on record](#) as supporting the Bayou Bridge Pipeline, it seems highly unlikely that there would be *no* relevant, responsive records of any kind (aside from bookkeeping records concerning travel) relating to communications between either Sheriff Champagne and/or other employees or agents of the St. Charles Parish Sheriff's Office concerning either of these pipelines. Please advise whether you conducted a search for all records responsive to this category and, if so, what that process entailed. If not, please advise whether you intend to do so and provide an estimate of timing for a response.

“7. All communications, notes, memoranda and other documents associated with the presentation of the National Sheriffs Association at a hearing on the proposed Bayou Bridge Pipeline convened by the Louisiana Department of Environmental Quality in February 2017.”

Please advise whether searches were conducted for records responsive to this category of records and, if so, what that process entailed. If not, please advise whether you intend to do so and provide an estimate of timing for a response.

“8. All records and communications relating to the SCSO's implementation of the Emergency Management Assistance Compact (EMAC) signed by Governor John Bel Edwards on June 19, 2016 and activities undertaken by the SCSO in pursuant to the EMAC.”

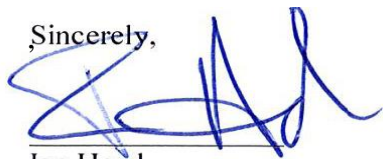
In light of the records produced that are responsive to this category of request, please advise what that search process entailed.

“9. Any and all communications concerning the Phillips 66 pipeline explosion in Paradis, Louisiana, in February 2017.”

With respect to this category, we note that the production included three pages of Facebook notices related to this event. Given that the event entailed a [serious explosion and fire that raged for days, one worker was killed](#), and another seriously injured, that the St. Charles Parish Sheriff's Office was reportedly [assisting the company](#) at the scene, and that Sheriff Champagne was quoted in local media about the incident, it seems highly unlikely there would not be additional records related to this category of request. Please advise whether you intend conduct another search and provide an estimate of timing for a response.

Thank you for your prompt attention.

Sincerely,



Ian Head
Senior Legal Worker
Center for Constitutional Rights

s/Bill Quigley

Bill Quigley
Professor of Law
Loyola University College of Law

Attachment 1

Megan Hamilton

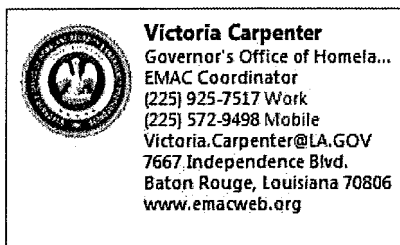
Bookkeeper - Finance
mhamilton@stcharlessheriff.org
 P.O. Box 426
 Hahnville, LA 70057
 P 985-783-6237 ext. 2098
 F 985-783-1132

From: Victoria Carpenter [<mailto:Victoria.Carpenter@LA.GOV>]
Sent: Thursday, January 05, 2017 8:18 AM
To: Megan Hamilton
Cc: Christopher Guilbeaux
Subject: EMAC request

Megan,

As discussed please see below request from N. Dakota for Cap Patrick Yoes and Robert Riddick. Please confirm with them that they are willing to assist and if so the dates they would like to deploy.

Thank you,
 Victoria



Visit the EMAC website! <<http://www.emacweb.org>>

From: Fong, Cecily S.
Sent: Wednesday, January 04, 2017 1:06 PM
To: Hoechst, Brandon H. <bhoechst@nd.gov>; Anderson, Geneva L. <geanderson@nd.gov>
Cc: Wilz, Greg M. <gwilz@nd.gov>
Subject: EMAC request

Hi folks,

We would like to put into process an EMAC request to St. Charles Parish to bring back Cap Patrick Yoes and Robert Riddick to assist with training so we are able to continue the "Know the Truth" video series they created. We anticipate needing them for around 5 days.

Let me know what else you need from me to facilitate this request.

Thanks.