

**LOUISIANA STATE POLICE
REGION II CRIMINAL INVESTIGATIVE DIVISION**



CASE REPORT # 15-2717

Calcasieu Parish

- 1.) OFFICIAL MISCONDUCT AND CORRUPT PRACTICES**
- 2.) Theft**

**Subjects: 1.) Michael Duane Higdon
2.) John A. Reon**

CASE AGENT:

MICHAEL S. HEBERT, 6493



Louisiana Department of Public Safety & Corrections
Office of State Police
Initial Complaint



Bobby Jindal
Governor

Michael D. Edmonson, Colonel
Superintendent

CASE HISTORY

Case Number: 15-2717
Case Date: February 20, 2015
Offense: Theft
Offense Date: Unknown
Offense Time: Unknown
Investigation Officer: Trooper Michael Hebert

INITIAL COMPLAINT

On Friday, February 20, 2015, LSP CID Investigators met with Billy Broussard in reference to a complaint involving possible FEMA Fraud and political corruption being conducted by members of the Ward 8 Gravity Drainage Board (GDB) in Calcasieu Parish. Broussard advised that in 2008, he was contracted by the GDB for the purpose of tree removal from the Indian Bayou / Little Indian Bayou area of Calcasieu Parish. The purpose of the tree removal was due to trees which had fallen into the Bayous as a result of Hurricane Rita in 2005. Initially, Broussard was contracted to remove 950 cubic yards (CY) of debris; however, while in the act of removing the debris, it was discovered that more than the estimated 950 CY would need to be removed. When the additional debris was located, Broussard requested that the GDB resubmit their initial application to FEMA asking for an adjustment in the amount of total CY of debris in order to cover the extra expenses for the removal. According to Broussard, he was advised by the GDB Superintendent to continue working and that he would be paid for the work. Broussard was under the belief that the work order had been resubmitted to FEMA and would cover the additional debris that he was removing.

According to Broussard, while removing the additional debris, he removed "sunken cypress trees" from the river bottom of the bayous. Once the cypress trees were placed on the barge and taken to one of the three pre-arranged burn sites, the Superintendent would have the cypress trees separated from the burn piles and marked with an "X" in florescent paint. After marking the cypress trees, they would be taken from the site to an undisclosed location at the Superintendents orders. Broussard advised that the Superintendent utilized FEMA funds to have the trees removed while using parish assets and personnel to illegally remove the cypress trees for profit. CID conducted an initial meeting with the Calcasieu Parish District Attorney concerning this complaint and possible statute of limitation issues. After meeting with the CPDA, multiple interviews were conducted of subjects involved with the initial complaint. After completing the interviews and reviewing the documents provided by all parties involved, the investigation was concluded and the reports was forwarded to the Calcasieu Parish District Attorney's Office for review.

INVESTIGATION OFFICER

6497

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Trooper Michael Hebert



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Case Report



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COMPLAINANT

Name: Billy Torres Broussard - Non Criminal
Birth Date: [REDACTED]
Birth Country: United States
Birth State: Louisiana
Nationality: United States
Gender: Male
Race: White
Hair Color: Blonde
Eye Color: Hazel
Height: 5'6
Weight: 185 lbs
Address: [REDACTED]
ID List: 1. DL Number [REDACTED] Louisiana

SUBJECT

Name: Michael Duane Higdon
Birth Date: [REDACTED]
Birth Country: United States
Birth State: Louisiana
Nationality: United States
Gender: Male
Race: White
Hair Color: Gray
Eye Color: Hazel
Height: 6'0
Weight: 180 lbs

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Address: [REDACTED]
ID List: 1. DL Number [REDACTED] Louisiana

Name: John Anthony Reon
Birth Date: [REDACTED]
Birth Country: United States
Birth State: Louisiana
Nationality: United States
Gender: Male
Race: White
Hair Color: Brown
Eye Color: Brown
Height: 6'0
Weight: 260 lbs
Address: [REDACTED]
ID List: 1. DL Number [REDACTED] Louisiana

ATTACHMENT

- 1 Thumb drive from Billy Broussard containing a total of 4,773 pages of documents.
- 2 Compact disc from ADA Kleinschmidt which contained approximately 1,525 pages.
- 3 Statement of Rights Forms
- 4 Compact disc containing recorded interviews

INITIAL COMPLAINT

On Friday, February 20, 2015, LSP CID Investigators met with Billy Broussard in reference to a complaint involving possible FEMA Fraud and political corruption being conducted by members of the Ward 8 Gravity Drainage Board (GDB) in Calcasieu Parish. Broussard advised that in 2008, he was contracted by the GDB for the purpose of tree removal from the Indian Bayou / Little Indian Bayou area of Calcasieu Parish. The purpose of the tree removal was due to trees which had fallen into the Bayous as a result of Hurricane Rita in 2005. Initially, Broussard was contracted to remove 950 cubic yards (CY) of debris; however, while in the act of removing the debris, it was discovered that more than the estimated 950 CY would need to be removed. When the additional debris was located, Broussard requested that the GDB resubmit their initial application to FEMA asking for an adjustment in the amount of total CY of debris in order to cover the extra expenses for the removal. According to Broussard, he was advised by the GDB Superintendent to continue working and that he would be paid for the work. Broussard was under the belief that the work order had been resubmitted to FEMA and would cover the additional debris that he was removing.

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According to Broussard, while removing the additional debris, he removed "sunken cypress trees" from the river bottom of the bayous. Once the cypress trees were placed on the barge and taken to one of the three pre-arranged burn sites, the Superintendent would have the cypress trees separated from the burn piles and marked with an "X" in florescent paint. After marking the cypress trees, they would be taken from the site to an undisclosed location at the Superintendents orders. Broussard advised that the Superintendent utilized FEMA funds to have the trees removed while using parish assets and personnel to illegally remove the cypress trees for profit. CID conducted an initial meeting with the Calcasieu Parish District Attorney concerning this complaint and possible statute of limitation issues. After meeting with the CPDA, multiple interviews were conducted of subjects involved with the initial complaint. After completing the interviews and reviewing the documents provided by all parties involved, the investigation was concluded and the reports was forwarded to the Calcasieu Parish District Attorney's Office for review.

NARRATIVE

On Friday, February 20, 2015, Louisiana State Police (LSP) Criminal Investigation Division (CID), Lt. Benny Broussard, Sgt. Mark Abshire and I (Investigator Michael Hebert) met with Billy Broussard at the LSP CID Office, in Breaux Bridge. The meeting was concerning a complaint involving possible fraud committed against the Federal Emergency Management Agency (FEMA) and political corruption being conducted by members of the Ward 8 Gravity Drainage Board (GDD8) in Calcasieu Parish. Broussard advised that in 2008, he was contracted by the GDD8 for the purpose of tree removal from the Indian Bayou / Little Indian Bayou area of Calcasieu Parish. The purpose of the tree removal was due to trees which had fallen into the Bayous as a result of Hurricane Rita in 2005.

According to Broussard, he was initially contracted to remove 950 cubic yards (CY) of debris; however, while in the act of removing the debris, it was discovered that more than the estimated 950 CY would need to be removed. When the additional debris was located, Broussard requested that the GDD8 resubmit their initial application to FEMA asking for an adjustment in the amount of total CY of debris in order to cover the extra expenses for the removal.

Broussard said he was told by the GDD8 Superintendent (John Reon) to continue working and that he (Broussard) would be paid for the work. Broussard was under the belief that the work order had been resubmitted to FEMA and would cover the additional debris that he was removing.

Broussard said that while removing the additional debris, he removed "sunken cypress trees" from the river bottom of the bayous. Once the cypress trees were removed from the waterways they were placed on a barge and taken to one of the three pre-arranged burn sites. Once at the burn sites, the Superintendent (John Reon) would have the cypress trees separated from the burn piles and marked with an "X" in florescent paint. After marking the cypress trees, they would be taken from the site to an undisclosed location at Reon's orders.

Broussard advised that Reon utilized FEMA funds to have the trees removed while using parish assets and personnel to illegally remove the cypress trees for profit.

During the meeting, Broussard provided an outline that better described his complaint and the Parish/District's

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actions of the FEMA Project Worksheet (PW) 4562 V 0, 1, 2.

Broussard also had in his possession a large file consisting of several thousand pages of documents claiming they supported his complaint of FEMA fraud. Lt. Broussard advised complainant Billy Broussard that he was assigning Investigator Michael Hebert as the case agent to review all the documents and determine whether his complaint merited a criminal investigation.

I asked complainant Broussard if he could provide a copy of all the documents that would support his complaint of the alleged FEMA fraud and the theft of the cypress logs. Broussard advised he would have the documents copied on a thumb drive and provide them at a later date. I informed Broussard that I was going to discuss the complaint with the Federal Bureau of Investigation (FBI) in the possibility that they may conduct an investigation into the FEMA complaint, if in fact his complaint warranted an investigation.

I asked Broussard if he had previously filed any complaints with any other agencies concerning the alleged FEMA fraud and theft. Broussard said he reported it to the FBI in Lafayette and was told that FEMA would have to report the incident because they would be the victim in the complaint. Broussard did not remember who he had spoken to at the FBI office. Broussard also mentioned that Louisiana State Senator Fred Mills was making inquiries on his behalf to state officials in an attempt to resolve the issue.

The meeting was concluded and Broussard advised he would provide the supporting documents at a later date.

On March 2, 2015, I received a telephone call from Broussard advising he had the documents copied on a thumb drive and would bring it to the LSP CID Office, in Breaux Bridge.

On March 5, 2015, I received the thumb drive from Lt. Broussard. I made copies and provided the documents to FBI S/A Scott Atwell at the Lake Charles FBI Resident Agency Office. S/A Atwell said he would confer with the US Attorney concerning the complaint and then advise me whether or not the FBI would be investigating the complaint.

Later that week, S/A Atwell met with me and advised that he reviewed the documents and consulted with Assistant United States Attorney Rick Willis and they determined that the statute of limitations had passed and that the FBI would not be conducting any inquiries into the FEMA complaint.

The thumb drive provided by Billy Broussard contained the following information:

The below listed files were labeled by Billy Broussard.

- (GDD8's lawyer) Rusty Stutes' threat letters and attachments (**8 pages**)
- Affidavit –Shannon (**3 pages**)
- Appeal Case Record (**2244 pages**)
- Court transcript May 7, 2014 (**82 pages**)
- Depositions (**923 pages**)
- Exhibits (Documents submitted in court proceedings) (**422 pages**)
- Gavin Abshire's emails and resignation from GDD8 (**16 pages**)

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- GDD8's Floating Marker (2 page)
- GDD8's Work Orders (99 pages)
- GOHSEP Ben Plaia's emails (7 pages)
- GOHSEP Witt's Public Records Request (820 pages)
- Evidence discovered by Broussard (Outline of complaint) (6 pages)
- Broussard's request to Police Jury (2 pages)
- GDD8's Superintendent's home (John Reon) (1 page)
- GOHSEP's response to filing an amicus brief regarding eligibility (2 pages)
- GOHSEP's response to request of public assistance (1 page)
- Indian Bayou and Little Indian Bayou Map (00454048) (1 page)
- Indian Bayou Yardage (01237679)(1 page)
- Judge Ritchie at Calcasieu Parish Police Jury press conference (01638777) (1 page)
- Mike Higdon's Daily Log (02513434) (51 pages)
- Parish Local Official Certification Document (3 pages)
- Photographs from Billy Broussard (00700265) (67 pages)
- Additional Photographs (5 pages)
- Police juror Shannon Spell (emails) (3 pages)
- Request made by Sen/Rep to GOHSEP 2.18.2015 (1 page)
- Shannon Spell (Police Juror) document (2 pages)

The thumb drive from Billy Broussard contained a total of 4,773 pages of documents.

Upon review of these documents, I read letters from Senator Fred Mills of District 22 who on behalf of Broussard sent letters to the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP), Senator Ronnie Johns of District 27, Senator John R. Smith of District 30, Larry Doiron, and John Reon District Superintendent of Calcasieu Gravity Drainage District 8 of Ward 1. The purpose of the letters were to identify a possible path forward to bring closure to the issue regarding the scope of work, actual work done, and payment to the contractor.

A letter dated January 31, 2014, indicated GOHSEP Director Kevin Davis sent Senator Mills a letter in response to a previous letter sent by Senator Mills concerning the FEMA project on Indian/Little Indian Bayou.

According to the letter, Davis directed GOHSEP's legal counsel for disaster recovery to initiate an internal investigation in response to the allegations of fraud and conflict of interest. Davis advised that during the investigation there were a number of levels of review which was scrutinized by his staff and the staff of the State Legislative Auditor's Office. The investigation was unable to find any evidence that the parish engaged in any type of fraudulent activity.

A letter dated March 12, 2014, indicated GOHSEP Assistant Deputy Director Mark DeBosier sent Kurt Wall, Director of the Criminal Division Office of the Louisiana Attorney General's Office, a letter concerning the number of allegations made by Broussard that GDD8 engaged in certain behaviors regarding the removal of debris from the bayous which could be described as criminal in nature. The allegations were addressed by GOHSEP and could not be substantiated.

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According to DeBosier, Broussard made "another round of allegations" which as before, GOHSEP found no sufficient basis to further pursue. DeBosier referred the matter to the Attorney General's Office because of their limited investigative capabilities and the alleged criminal behavior reported by Broussard.

On March 18, 2015, Lt. Broussard, Sgt. Abshire, and I attended a meeting at the Calcasieu Parish District Attorney's Office to discuss the complaint made by Billy Broussard, statute of limitations issues, and the direction to proceed in the investigation. The following individuals were present during the meeting: DA John DeRosier, ADA Cynthia Killingsworth, ADA Carla Sigler, and ADA Bob Kleinschmidt.

The following information was presented to members of the district attorney's office:

LSP received a complaint from Billy Broussard stating that individuals with the District/GDD8 committed fraud by misappropriating federal funds and committing the theft of "Cypress logs."

According to Broussard, he was initially contracted to remove 950 cubic yards (CY) of debris; however, while in the act of removing the debris, it was discovered that more than the estimated 950 CY would need to be removed. When the additional debris was located, Broussard requested that the GDD8 resubmit their initial application to FEMA asking for an adjustment in the amount of total CY of debris in order to cover the extra expenses for the removal.

Broussard Construction removed 6,187 cubic yards of debris from the bayous. The District refused to pay Broussard Construction for this work, despite the fact that it was funded by FEMA, and the District sought and received additional FEMA funding for this work.

The disagreement between the parties resulted in civil litigation. The 14th Judicial District Court granted the motions of the District/GDD8 ruling that Broussard was not entitled to be paid any additional money for the extra work. The case went to the Third Circuit Court of Appeals and ultimately to the Louisiana Supreme Court. Both courts upheld the District Court's decision.

During the Indian Bayou clean-up project, sinker/cypress logs were separated from the burn piles and marked with an "X" in florescent paint. After marking the cypress trees, they would be taken from the site to an undisclosed location at Superintendent John Reon's orders.

Broussard claimed that Reon utilized FEMA funds to have the trees removed while using parish assets and personnel to illegally remove the cypress trees for profit.

DA DeRosier advised that his office would conduct research into the statute of limitation concerns and requested that we conduct interviews of key personnel and schedule a follow-up meeting to determine if there is validity to the complaint.

During the meeting, I received a compact disc from ADA Kleinschmidt specifying the series of events that occurred during the civil litigation between Billy Broussard and GDD8. These documents consisted of court proceedings, depositions, etc. The meeting was then concluded.

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I later reviewed the documents on the compact disc that was received from ADA Kleinschmidt which totaled 1,525 pages.

One of the documents that I reviewed was the Third Circuit Court of Appeal's Opinion concerning the District Court's ruling which stated the following:

Third Circuit Opinion

GENOVESE, Judge.

Broussard Construction Company of Acadiana, LLC (Broussard) appeals the granting of summary judgments in favor of Gravity Drainage District 8 of Ward 1 (the District) and Larry Doiron, Inc. (Doiron) and the award of \$59,988.00 in attorney fees to the District. For the following reasons, we affirm.

FACTUAL AND PROCEDURAL BACKGROUND

On August 11, 2009, the District filed a Concursus Rule to Cancel Public Works Act Lien I against Doiron, Broussard, and Western Surety Company.

According to the District's pleading, "in July of 2008, Doiron entered into a contract with the District to remove all hurricane debris from Indian Bayou/Little Indian Bayou "Project" for a fee of \$204,000.00.

In August of 2008, Doiron "entered into a joint venture agreement with Broussard whereby Broussard would provide all labor, equipment, and materials to complete the "Project." It was agreed that Doiron would keep ten percent of the \$204,000.00 fee, pay all costs of obtaining the performance bond, and pay any additional insurance costs.

On October 14, 2008, the District, Broussard, and Doiron executed Change Order Number One "to significantly reduce the scope of the Project and have Doiron and Broussard complete the reduced scope of work for the original lump sum bid of \$204,000.00." A Certificate of Substantial Completion was filed by the District on January 26, 2009.

On March 27, 2009, Broussard filed a Lien under the Public Works Act against the District alleging that "during the course of performance of the work contemplated by the contract documents, representatives of the District instructed Doiron and Broussard to perform storm-related debris removal at locations other than those identified in the Contract as modified by "Change Order Number One." According to Broussard's lien, Doiron and, alternatively, the District owed him \$1,153,000.00 for work allegedly performed in excess of the terms of the Contract and Change Order Number One.

The District's Concursus Rule to cancel Public Works Act Lien prayed for judgment ordering the cancellation of the lien filed against it by Broussard and sought damages and attorney fees from Doiron and Broussard pursuant to La.R.S. 38:2242.1 and La.R.S. 38:2246.

On September 11, 2009, Broussard filed a suit on Open Account and to Enforce Lien or Privilege against the District. According to its suit, Broussard sent an invoice for \$1,153,000.00 with a notice of intent to file

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a lien against the District in March of 2009. Broussard's suit prayed for a judgment recognizing, maintaining, and enforcing the lien and privilege on the funds held by the District for the improvement of property in Calcasieu Parish and sought \$1,153,000.00 from the District which allegedly represented the amount owed for the work that Doiron and Broussard performed that was beyond the scope of the contract and subsequent "Change Order."

On September 23, 2010, the District filed a motion for summary judgment, seeking a dismissal of all of Broussard's claims because the terms of its contract for the debris-removal project in Indian Bayou/Little Indian Bayou with the District have been fulfilled. The same day, Doiron filed a motion for summary judgment against Broussard also seeking a dismissal of Broussard's claims.

On September 24, 2010, Broussard filed its own motion for summary judgment. Broussard's motion sought identification of the scope of work of both the original contract between the District and Doiron, and the modifications to the scope of work made by "Change Order Number One" to the Contract.

The trial court heard arguments on the parties' three motions for summary judgment on October 14 and 21, 2010. Broussard argued that the contract and subsequent "Change Order Number One" were ambiguous and sought the introduction of parole evidence to determine the parties' intent. The District and Doiron argued that the contract and "Change Order Number One" were unambiguous and contended that the terms clearly reflected a lump sum contract. The trial court ultimately denied Broussard's motion and granted the motions filed by the District and Doiron.

On November 30, 2010, the trial court heard arguments on the District's claim against Broussard for attorney fees. The District argued, pursuant to La.R.S. 38:2242.1(B), that Broussard, without reasonable cause, failed to authorize the cancellation of its lien against the District; therefore, the District was entitled to attorney fees from Broussard. The trial court granted the District's motion.

A judgment granting the motions for summary judgment filed by Doiron and the District, and granting the District's motion for attorney fees in the amount of \$59,988.00 was signed by the trial court on December 30, 2010. It is from this judgment that Broussard appeals.

Broussard asserts that the trial court "erred in granting the summary judgments in favor of Doiron and the District and in awarding attorney fees and costs to the District."

LAW AND DISCUSSION / Motions for Summary Judgment

"Appellate courts review summary judgment de novo, using the same criteria that govern the trial court's consideration of whether summary judgment is appropriate, and in the light most favorable to the non-movant." Yokum v. 615 Bourbon Street, L.L.C., p. 25 (La. 2/26/08), 977 So.2d 859, 876 (citing Suire v. Lafayette City-Parish Consol. Gov't., 04-1459 (La. 4/12/05), 907 So.2d 37). Louisiana Code of Civil Procedure Article 966(A) (2) states "The summary judgment procedure is designed to secure the just, speedy, and inexpensive determination of every action," and this "procedure is favored and shall be construed to accomplish these ends." "If the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue of material fact," then judgment shall be granted as a matter of law in favor of the mover. La.Code Civ.P. art. 966(B) and

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(C).

Broussard asserts that the amount of debris removed was five times more than what was contemplated in the District's estimate. Broussard contends the trial court erred in granting the District's and Doiron's motions for summary judgment due to genuine issues of material fact relative to the contract's definition of the scope of work and relative to "Change Order Number One's" modification of the scope of work.

The District argues that Broussard and Doiron twice (once in the original contract and once in the change order) agreed to perform all the debris removal for \$204,000.00. The District claims, and Doiron concurs, that the contract and "Change Order Number One" were unambiguous as to the amount of work the District expected Doiron and Broussard to perform for the contractual price of \$204,000.00.

We find no merit to Broussard's argument. The terms of the contract clearly state that for \$204,000.00, debris would be removed from a certain specified section of Indian Bayou and Little Indian Bayou. The terms of "Change Order Number One" even reduced the size of the section from which debris would be removed without reducing the amount to be paid. At no time was there any alteration or change in the contractual amount to be paid. Broussard had ample opportunity at the time of "Change Order Number One" to redress any grievance about the type or amount of the work he was to perform in accordance with the Contract. Broussard failed to and/or refused to do so. The District did not agree at any time, by contract or otherwise, to pay more than the lump sum price of \$204,000.00 for the work to be done. Consequently, Broussard is bound by the contract.

Pursuant to our review of the record, using the required de novo standard of review, we find no error in the trial court's grant of summary judgments in favor of the District and Doiron.

ATTORNEY FEES

Broussard argues that the trial court erred in ordering it to pay attorney fees to the District in connection with the wrongful filing of its lien. Based on its interpretation of the contract and "Change Order Number One", Broussard contends that the lien was proper because the District owed it money. Having found no error in the trial court's finding that the contract and "Change Order Number One" were unambiguous, we reject this argument. The trial court correctly found that the District is entitled to attorney fees incurred in connection with pursuing the cancellation of the lien filed by Broussard.

*For the foregoing reasons, the December 30, 2010 judgment of the trial court is affirmed in all respects. All costs of these proceedings are assessed against Appellant, Broussard Construction Company of Acadiana, LLC. **AFFIRMED.***

One of the documents that I received from Broussard was a court transcript dated May 7, 2014, consisting of 82 pages. In the documents, Broussard claimed, through public records request, he discovered documents showing that individuals with the District committed fraud by fraudulently withholding documents concerning the project worksheets (PW) and FEMA PW.

14th Judicial District Court Judge David Ritchie advised Broussard that he did not see any evidence where fraud was committed. Broussard continued to make an attempt to enter documents into court records that

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showed where fraud was committed. Judge Ritchie advised Broussard that the same documents had already been entered into the record previously.

Judge Ritchie explained to Broussard that when a case was "lost" in court, the plaintiff cannot continue "coming back to court to find other stuff that will get your back in court." Judge Ritchie advised Broussard that his decision was upheld by the Third Circuit Court. Then it went to the Louisiana Supreme Court and upon review, they denied the writ. Judge Ritchie explained to Broussard that a total of ten judges reviewed the case and agreed with his decision.

Upon completing a review of the documents, I was unable to find any information which would indicate fraud by misappropriation of federal monies. However, I contacted potential witnesses concerning the allegations of possible malfeasance whereby the cypress logs were allegedly harvested during the Indian Bayou / Little Indian Bayou project and the trees were allegedly removed while using parish assets and personnel to illegally remove the cypress trees for profit. Interviews were scheduled for later dates.

On March 27, 2015, at approximately 1248 hours, I interviewed Carl Patterson concerning his knowledge of the Indian Bayou clean-up when "Cypress/Sinker logs" were allegedly removed from the job site.

According to Patterson, he was employed by Calcasieu Parish GDD8 and during the Indian Bayou project, he served as an operator. Patterson said he operated heavy equipment which was utilized to move the debris at the burn sites. Patterson said he observed "Cypress/Sinker logs" that were separated and stacked separately from other debris. Patterson said he did see painted orange "X" marks on some of the stacked logs but did not know who painted the "X" marks on them. Patterson said the debris, including the logs with the painted orange "X" on them, continued to be burned on site.

Patterson said that Mike Higdon, a Parish monitor hired by John Reon, had showed up with a trailer and asked him (Patterson) if he would load some of the sinker logs onto his trailer. Patterson refused to load the logs unless he was ordered to do so by Reon. Patterson said Higdon drove off and left the area without any logs.

According to Patterson, he remembered arriving at work one specific day and noticed that the heavy equipment he used to move the debris the day before was not in the same position that he had previously left it, which made him believe that someone else used it after work hours. Patterson said he also noticed that the sinker log pile had been disturbed. Patterson said he continued to move and burn the debris, including the sinker logs. Patterson said he did not see or know if anyone had removed sinker logs from the site. Interview was concluded. (Refer to recorded interview for complete details.)

On April 15, 2015, at approximately 1244 hours, I interviewed Mike Higdon concerning his knowledge of the Indian Bayou clean-up whereby "Cypress/Sinker logs" were allegedly removed from the job site. Higdon was advised of his Miranda Warning and then agreed to provide a statement.

According to Higdon, he was hired by Reon for the purposes of driving the state inspector by boat to the job site and with providing assistance to the inspector as needed. Higdon could not provide the exact dates as to when he was hired and performing his duties as previously described. Higdon said the contractors (Broussard's men) would remove the debris from the bayou and place it on a barge which would then transport the debris to a designated burn site.

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I asked Higdon if he was familiar with the cypress/sinker logs that had orange painted "X" marks on them. Higdon replied, "Yes." According to Higdon, one of Broussard's employee's named "Troy" mentioned that the logs could be marketable. Higdon said that with the help of "Troy", he painted an orange "X" on the logs that they thought would be marketable. Higdon said he told Reon about the logs and the possibility that they could be marketable. Higdon said Reon told him later that he (Reon) went to the parish and presented the idea to them about selling the logs; however, Parish representatives refused the idea.

I asked Higdon if he had taken any logs from the site to which he answered, "Yes." Higdon said that one of Broussard's men helped him load approximately eight to ten logs onto his trailer after work hours. Higdon said the logs stayed on his trailer for a long time until they began to physically deteriorate which resulted in him burning the logs. I asked Higdon if he knew of anyone else who took logs from the worksite. He replied, "No." (Refer to recorded interview for complete details.)

On April 22, 2015, at approximately 1540 hours, I interviewed John Reon concerning his knowledge of the Indian Bayou clean-up project whereby "Cypress/Sinker logs" were allegedly removed from the job site. Reon was advised of his Miranda Warning and then agreed to provide a recorded statement. Present during the interview was Reon's Attorney, Russell Stutes.

During the Indian Bayou/Little Indian Bayou project, Reon was and currently is the superintendent of the GDD8. I advised Reon that a complaint had been filed with LSP alleging that Cypress/Sinker logs were taken from the job site during the project where individuals then allegedly sold the logs. Reon advised that he had no knowledge of any of the logs being taken from the site and sold. Reon said that he knew of one employee that had taken two cypress logs and was later terminated as a result of taking them. Reon said he did have a large cypress stump hauled to the GDD8 shop and placed in the yard where it is currently located.

According to Reon, during the project it was mentioned to him that there was a potential profit that could be made for the GDD8 if the sinker logs were marketable and sold. Reon said that after learning they were possibly marketable, he met with Calcasieu Parish Police Jury Compliance Officer, Kelly Fontenot and discussed the matter. Reon said Fontenot was considered the liaison person between FEMA, GOHSEP, and the Parish.

According to Reon, they discussed the possibility of harvesting the logs to sell; however, Fontenot said all the funds recovered from the sell of the logs would have to be given to FEMA as a reimbursement which would not be beneficial to the Parish in any way. Reon said he then had his employees burn all the logs at the burn site. The interview was concluded. The recorded interview also contained information concerning the original contract dispute between the Parish and Broussard. (Refer to recorded interview for complete details.)

The investigation was concluded and forwarded to the Calcasieu Parish District Attorney's Office for review.

INVESTIGATION OFFICER

Case Number:	15-2717	Offense:	Theft
Case Date:	February 20, 2015	Offense Date:	Unknown
Investigation Officer:	Trooper Michael Hebert	Offense Time:	Unknown

Trooper Michael Hebert