



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
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February 10, 2020

VIA SHAREPOINT

The Division of Administrative Law
1020 Florida Street
Baton Rouge, LA 70802

RE: *In the Matter of James Wayne Richard*
Agency Tracking No.: 2019-053

Dear Ms. Duhon:

Please find attached *Charges* to be filed on behalf of the Louisiana Board of Ethics in the above-referenced matter.

If you have any questions, please do not hesitate to contact me at 225-219-5619, and thank you.

Kindest regards,

LOUISIANA BOARD OF ETHICS

A handwritten signature in black ink, reading "Elizabeth W. Barrouquere".

Elizabeth Barrouquere
Staff Paralegal

Enclosures

cc: James Wayne Richard
P.O. Box 30
Grand Coteau, Louisiana 70541-0030
(Via certified mail no. 70180360000076690317)

**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

LOUISIANA BOARD OF ETHICS

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DOCKET NO.

IN THE MATTER OF

JAMES WAYNE RICHARD

AGENCY TRACKING NO. 2019-053

CHARGES

The Louisiana Board of Ethics voted on February 6, 2020, to and does hereby file the following charges:

1.

On November 6, 2018, James Wayne Richard was elected as Alderman of the Town of Grand Coteau and commissioned on January 1, 2019.

2.

On April 3, 2018, Ricky Richard was hired by the Town of Grand Coteau as a Utility Worker for the Utility Department.

3.

James Wayne Richard and Ricky Richard are brothers, making Ricky Richard an immediate family member of James Wayne Richard as defined by R.S. 42:1102(13) of the Louisiana Code of Governmental Ethics.

4.

La. R.S. 42:1119A provides:

No member of the immediate family of an agency head shall be employed in his agency.

5.

La. R.S. 42:1119C(2) provides:

The provisions of this Section shall not prohibit the continued employment of any public employee nor shall it be construed to hinder, alter, or in any way affect normal promotional advancements for such public employee where a member of public employees' immediate family becomes the agency head of such public employee's agency, provided that such public employee has been employed in the agency for a period of at least one year prior to the member of the public employee's immediate family becoming the agency head.

6.

La. R.S. 42:1102(13) provides:

"Immediate family" as the term relates to a public servant means his children, the spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse.

7.

La. R.S. 42:1102(3) provides:

"Agency head" means the chief executive or administrative officer of an agency or any member of a board or commission who exercises supervision over the agency.

8.

La. R.S. 42:1102(2)(a)(vi) provides:

"Agency" means a department, office, division, agency, commission, board, committee, or other organizational unit of a governmental entity. For purposes of this Chapter, "agency of the public servant" and "his agency" when used in reference to the agency of a public servant shall mean:

(vi) For public servants of political subdivision, it shall mean the agency in which the public servant serves, except that for members of any governing authority and for the elected or appointed chief executive of a governmental entity, it shall mean the governmental entity.

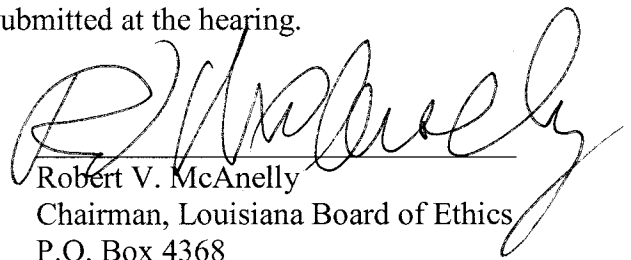
9.

Based on the foregoing facts, James Wayne Richard, while serving as Alderman of the Town of Grand Coteau, violated La. R.S. 42:1119A by having his brother, Ricky Richard, remain employed by the Town of Grand Coteau as a Utility Worker given that Ricky Richard had not been employed by the Town of Grand Coteau for a period of at least one year prior to James Wayne Richard becoming an agency head when he was commissioned as alderman on January 1, 2019.

10.

In accordance with La. R.S. 42:1141C(3)(b)(iv), the Board designates Gregory L. Thibodeaux and Tracy Barker as the Board's trial attorneys in this matter.

WHEREFORE, the Louisiana Board of Ethics requests that the Ethics Adjudicatory Board (a) conduct a hearing on the foregoing charge; (b) determine that James Wayne Richard violated La. R.S. 42:1119A; and (c) assess appropriate penalties in accordance with the recommendation of the Louisiana Board of Ethics to be submitted at the hearing.

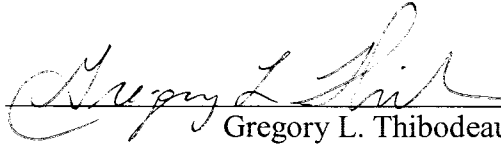


Robert V. McAnelly
Chairman, Louisiana Board of Ethics
P.O. Box 4368
Baton Rouge, LA 70821
Telephone: (225) 219-5600
Facsimile: (225) 381-7271

CERTIFICATE:

I hereby certify that a copy of this document has been forwarded to the Respondent via registered/certified mail, on this 10th day of February, 2020.

RESPONDENT: James Wayne Richard
Post Office Box 30
Grand Coteau, Louisiana 70541-0030

A handwritten signature in cursive script, appearing to read "Gregory L. Thibodeaux", is written over a horizontal line.

Gregory L. Thibodeaux
Trial Attorney