



## Anti-corruption caseload seems small

Baton Rouge squad making fewer busts — with fewer agents

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Kent Benton has lost faith in the feds.

When U.S. Attorney David Dugas and the FBI announced the formation of a public-corruption squad in Baton Rouge, the longtime Satsuma resident thought Livingston Parish's "good-old-boys" were about to take a licking.

Then last summer, former parish Councilman Robert Ringo got just six months of home detention after admitting he took a \$17,000 bribe for his vote on the Woodside Landfill contract.

Last month, the 15-count felony fraud case against former Livingston Parish President Dewey Ratcliff targeting a \$200,000 campaign contribution from landfill backers fizzled into a single misdemeanor with no jail time.

There hasn't been another known indictment in the case, which centered on events from nearly a decade ago.

"I've pretty much given up," said Benton, an active members of Concerned Citizens of Livingston Parish. "I just wish that Mr. Dugas would forget that President Bush nominated him for a judgeship and proceed with doing his job. He's going to say he's doing his job, but people here in Livingston Parish don't think so."

It's been more than three years since the FBI sent nine new agents to Baton Rouge to separate the saints from the sinners in public office. The U.S. Attorney's Office reorganized a legal unit to handle an anticipated influx of cases.

U.S. Department of Justice statistics indicate there were two official corruption cases in the fiscal year that ended in September — three fewer than the previous year. That's one less than the average number of public-corruption cases Baton Rouge prosecutors have filed annually during the past decade.

The number of defendants in those cases dropped to two in the squad's first full year but rose to six and then seven during the past two years. However, that three-year high equals the number of defendants charged with public corruption in 2000, long before the squad came to town.

Those numbers come at a time when other federal agents and prosecutors seem to be having no trouble at all making cases against some of Louisiana's highest-ranking public officials. Elsewhere, charges have been brought against U.S. Rep. William Jefferson, D-New Orleans, former Louisiana Film Commission head Mark Smith, Avoyelles Parish Sheriff William Belt and New Orleans City Councilman Oliver Thomas Jr.

As it now stands, the Baton Rouge squad is down three agents and recently lost its supervisor, Special Agent Rick Chenevert, to retirement. Replacements are expected to arrive soon.

### **Too soon**

Rafael Goyeneche III, president of the New Orleans-based Metropolitan Crime Commission, said it's far too soon to measure the performance of the Baton Rouge squad. Public corruption cases, he said, take years to build.

The New Orleans investigation against Thomas — who pleaded guilty in August to demanding \$20,000 in bribes from a City Hall vendor — began six years ago, for example.

“Most of the cases you see in New Orleans now were in the works even before Hurricane Katrina. We haven't even begun to see the post-Katrina cases,” Goyeneche said. “This isn't a sprint; it's a marathon.”

He said the Baton Rouge squad is “putting in some roots that are still in the process of taking. They're doing their homework right now, investigating leads and information.”

“The normal gestation period for a public-corruption case isn't measured in weeks or months, but years,” he said.

“Some of the things they've generated have been low-lying fruit. But the bigger things take a couple of years for them to work through,” Goyeneche said. “Even in New Orleans, some of the most significant pre-Katrina cases are still winding their way

through the system. Expecting to see high-level corruption cases immediately really is unrealistic.”

But Dugas contends a number of high-profile public officials have been convicted in recent years. Among them: former St. Helena Parish Sheriff Ronald “Gun” Ficklin, former Prison Enterprises Director Jim Leslie, former East Baton Rouge Parish City-Parish auditor Jerome Shore, former Ascension Parish Councilman Alvin Thomas and former Southern University Assistant Registrar Cleo Carroll Jr., and a handful of others involved in a grade-buying scam.

Some of those cases predate the public-corruption squad.

“If people are getting a little frustrated, it’s probably because they don’t understand the process,” Dugas said. “It simply takes time to conduct these complex investigations. People are seeing activity and convictions in these areas, so they should take comfort that these matters are being addressed.”

Dugas said statistics don’t present a complete picture of anti-corruption efforts in Baton Rouge because some of the charges brought against public officials aren’t counted in the corruption category.

For example, former Livingston Parish councilman Ringo, he said, pleaded guilty to tax evasion, which isn’t considered a public-corruption charge. But the crime did involve taking a bribe for his vote as a public official.

“If you look at the pattern, generally that involves a series of prosecutions where we’ll bring charges, try to get defendants convicted and try to get them to cooperate and then build on that,” Dugas said. “That part is being accomplished. To actually try to set specific goals of numbers or officials, you can’t say, ‘Oh, we haven’t convicted this type of official or that type of official,’ because those officials might not be committing crimes.”

#### **‘Heck of a track record’**

James Bernazzani, special agent in charge of the New Orleans field office — which oversees the Baton Rouge squads — said the public corruption squad has “a heck of a track record. They’ve done very well for a squad that just began.”

He cited his own statistics showing that in its first year, the Baton Rouge squad had 21 cases of public corruption in which all the defendants pleaded guilty; in the most recent year, 33 cases in which all but one pleaded guilty.

Asked whether the lack of additional prosecutions in the Livingston Parish and Angola cases have hurt the reputation of the Baton Rouge public-corruption squad, Bernazzani said simply, “Let’s just say those investigations are ongoing and active. We’re not done.”

But federal authorities acknowledge the effort to target public corruption in Baton Rouge has had its setbacks.

Dugas said Hurricane Katrina — which hit the Gulf Coast in August 2005, not long after the squad began its work — temporarily focused agents on disaster concerns.

Later, Chenevert and some of his agents staffed the Hurricane Katrina Fraud Task Force, a national effort to target theft of money intended for hurricane relief. The Baton Rouge office is second only to Southern Mississippi in the number of those indictments, which now stands at 127.

Last year, two of the squad's more-experienced agents — Thomas McNulty and Brett Skyles — spent several months on assignment in the Middle East. Other agents have transferred elsewhere.

“We have a number of investigations ongoing. There was a three- to six-month interruption because all of us had to respond to Katrina and its effects,” Dugas said. “But despite that, the numbers are coming up and the numbers of investigations are increasing, so I think it’s taking effect. I always feel like we can be making more cases, but that’s what’s driving us forward. I think it’s a good start; my goal is to build on it.

Goyeneche said another barrier to making cases in Baton Rouge might be that investigations against high-ranking public officials require review at the national level, which means the investigations take longer.

“When you’re talking about the state’s capital, you’re dealing with potentially powerful targets,” he said. “Decisions regarding high-profile public officials have to go to Washington and receive Department of Justice approval. So there are multiple levels of review, both on the local as well as the national level, that high-profile public corruption cases have to go through.”

### **New Orleans cases**

Nevertheless, some people are frustrated that New Orleans continues to eclipse Baton Rouge in cleaning up government. In the past three years, federal grand juries there have indicted 33 people on public corruption charges.

It isn’t for lack of tips. Goyeneche said so far this year, the Metropolitan Crime Commission’s public corruption hotline has fielded 181 calls from the Baton Rouge area. That doesn’t include calls to the FBI or U.S. Attorney’s Office.

Jim Brandt, president of the Public Affairs Research Council, mused perhaps there haven’t been many cases in Baton Rouge “because they’re probably working day and night and overtime in New Orleans because that seems to be where the cases are.”

“I don’t know whether there simply is no material to work with here or maybe they’ve been diverted there,” he said. “We certainly would like vigilant oversight throughout the state, whether it’s in Baton Rouge, New Orleans or elsewhere.”

John Baker, a professor with LSU’s Paul M. Hebert Law School who helped get the mail-fraud charges against Ratcliff thrown out, said that while he doesn’t directly monitor Baton Rouge public corruption cases, there is a perception that “most of what is happening is outside of here.”

Bernazzani said FBI statistics indicate that public-corruption charges in the New Orleans area have climbed 570 percent over the past four years. However, that region has two full-time public-corruption squads.

“The Baton Rouge guys are just starting; they’ve never dedicated a full squad to this,” he said. “We’ve done a pretty good job in Baton Rouge. We’ll eventually get them, no matter how long it takes.”

Dugas said Baton Rouge investigations simply haven’t “matured” to the point that those in New Orleans have.

“When you look at numbers here and the type of investigations we have going on, as our investigations mature to the point that New Orleans’ are now, I think we’ll be seeing the same type of results,” he said.

That’s what Dr. Ivor van Heerden still hopes for.

The LSU professor, who lives in Livingston Parish, was among those who brought the Woodside Landfill contract to the attention of federal investigators in 1999.

“We are a little disappointed at the pace, and so far we’re a little surprised that no state employees have been indicted,” he said. “But maybe that’s all to come.”