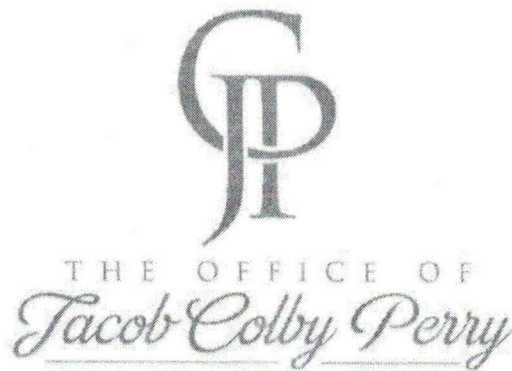


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February 1, 2017

Mayor Carolyn Louviere
Town of Welsh
201 South Elms St.
Welsh, Louisiana 70591

Re: *Appointment of the Magistrate*

Dear Mayor Carolyn Louviere:

I am writing you this letter regarding the above-referenced matter. I have opted to initially write you a letter rather than schedule an in-person meeting because I feel that this matter is rather complex, and I want to thoroughly express myself. Furthermore, I believe a letter will be a time-saving measure; however, once you read this letter, I am certainly available for a private, in-person meeting.

On Thursday, January 26, 2017, it was brought to my attention that the appointment of the Magistrate for the Town of Welsh would be offered to Elliot Cassidy, son of Jeff Davis Parish District Attorney, Michael Cassidy, an attorney admitted to the Louisiana State Bar Association on October 24, 2013, also an Assistant District Attorney in Calcasieu Parish. As a courtesy, I want to inform you that personally I am considerably opposed to Elliot Cassidy's appointment as Magistrate for the Town of Welsh. In addition, as of writing this letter, it is my belief that Alderman Andrea King and Alderman/Mayor Pro Tem Lawrence "Bugger" Mier share in an opinion synonymous with my own regarding this appointment, ultimately a majority of the

members of the Board of Aldermen. I have also spoken with Alderman Rodney Trahan, and I am unable to make a definite conclusion of his opinion. As of writing this letter, I have not spoken with Alderman Bob Owens.

Foremost, I want to express that my opposition is not derived from a merely biased, outright fixed opinion regarding my recommendation to appoint Mark Judson as Magistrate for the Town of Welsh; however, with all the information that I have been provided thus far, I must say that I feel my recommendation does positively outway that of the appointment of Elliot Cassidy.

I believe there are various reasons as to why there is the concern in appointing Elliot Cassidy to serve as Magistrate for the Town of Welsh. Foremost, my opposition is the result of the unfavorable public response that this will have from my constituency base. Elliot Cassidy's father is a well-known political figure, elected to District Attorney for Jeff Davis Parish since October 1990, and has been serving in public office since January 1, 1991, nearly 26 years. I believe that for anyone serving such an extended period of time, it is reasonable to conclude that over time, there will ultimately be a decrease in favorability rates. In addition, Michael Cassidy serves in a public office that is tasked with representing the state government in the prosecution of criminal offenses, and he is also the chief law enforcement officer and legal officer of the state's jurisdiction in Jeff Davis Parish. Thus, prosecuting people, serving as the chief law enforcement officer and a legal officer can indeed interfere with your favorability rating from the public. Furthermore, I believe the investigation by the Louisiana Legislative Auditor from December 2004 through August 2007, as reported by Legislative Auditor, Steve J. Theriot, CPA, "District Attorney for the 31st Judicial District, Michael Cassidy, and other employees of the District Attorney's office incurred approximately \$119,855 in travel expenses that appear to be either excessive or have no business purpose" does not help his overall favorability rate. Along with a lawsuit in 2014, alleging Jeff Davis District Attorney & Assistant District Attorney used influence to shield a relative, which captured widespread media attention, along with other controversies, I believe that it is fair to say that while some elements are perhaps controversial in and of themselves, combined together they create a rather sizeable controversy.



Frankly, it may be perfectly reasonable and unavoidable to adopt opinions that are ultimately controversial while serving in public office for an extended period of time. Personally, I have nothing against Michael Cassidy, the Cassidy family, nor Elliot Cassidy. In fact, my aunt was a Cassidy. This letter is not to cast judgment on his performance as District Attorney. On a personal level, I admire any public servant who serves the public for the amount of time that he has. I do not know of his son, Elliot, on a personal level, but I am sure he certainly is a fine attorney.

But, for many people, including those in my constituency base, the Cassidy's are foreseen as a "political machine". Frankly, I may be able to personally conclude that it may be unfair to associate Elliot Cassidy with anything of such; however, I cannot reasonably expect my constituency base to be willing to do such a sizeable task. Thus, I have spoken to a few individuals within the public in the Town of Welsh. Only a few, I know, but a few very passionate who are not in favor of the appointment of Elliot Cassidy, questioning why we, the Board of Aldermen, would support the expansion of the "Cassidy franchise". Along with resistance, there have been a few who have expressed interests in voicing their concerns at the next public meeting with the Mayor and Board of Aldermen. These individuals originate from a variety of demographics (financial, political, social characteristics, etc.) within the community.

Hence, I essentially do not feel that the appointment of his son, Elliot Cassidy is a wise decision for the Town of Welsh. And, it is an appointment that I am not inclined to support.

At heart, I find it to be a great privilege and honor to serve as a member of the Board of Aldermen. Certainly, I believe there are probably a variety of reasons as to why I was voted into office. Perhaps, I will never know exactly the reason. Foremost, I think it is because the People of Welsh recognized what I had to offer to the Town of Welsh. And, along with the skills and experiences that I would bring forth, I also believe that the People of Welsh understood me as someone "not part of the establishment", someone "new". Certainly, being someone "new" and "not part of the establishment" was a guiding force in our Presidential election of 2016.

Perhaps, I am not the only candidate that the People of Welsh felt to be "new" and "not part of the establishment". The Establishment, generally denoted a dominant group or elite that



holds power or authority in a nation or organization, also typically a closed social group which selects its own members or specific entrenched elite structures, either in government or in specific institutions, is not something that I want to be a part of, nor associated with.

While campaigning, and now while serving in public office, I have met many people. And while encountering such a diverse group of people, there are many people who I would even call friends. I care about the Town of Welsh, and I care about the People of Welsh, many who I will be forever thankful for in giving me such an extraordinary opportunity. Hence, it would be even more perverse for me to support the appointment that would inevitably mirror a complete contradiction of the very reason why I believe I was elected to public office.

I understand that the Town of Welsh is not afforded the opportunity of a wide variety of candidates to select from, and I understand that time is rather critical; yet, at this point in time, I do not believe that there is pressing urgency that requires us to select someone to serve as the Magistrate for the Town of Welsh when the majority of the members of the Board of Aldermen relate to their appointment with deep concern. Furthermore, given that I have provided an additional candidate, Mark Judson, we do in fact, at this time, have an option, even though it is limited.

Ultimately, I desire for the Town of Welsh to have a Magistrate who is "neutral and detached". Within the United States Constitution, the supreme law of the United States of America, there is the heavy emphasis on protection for those alleged of committing an offense to have access to a "neutral and detached" Magistrate. Not only as someone who has sworn to uphold the Constitution in a variety of my official capacities, but also because this is a very practical approach, I completely support the idea behind such neutrality and detachment. I believe it promotes the best likelihood of fairness within the venue practicing law, while also delivering an essential element that is the fundamental basis for streamlining and promoting the best in the criminal justice system.

Thus, pursuant to our last meeting, when I initially recommended the appointment of Mark Judson, I understand that your recommendation would pay particular attention to the recommendation of that of Town Attorney, Richard Arceneaux, and perhaps some attention to



Chief of Police, Marcus Crochet. Certainly, they are individuals who contribute to the operations within the Town of Welsh. As a result, they should be able to make comments and suggestions regarding all aspects of these operations; however, I would encourage you not to allow their recommendations in this matter to carry significant prominence. By emphasizing a “neutral and detached” Magistrate in the United States Constitution, the purpose is to promote an environment where one is not being judged by the official(s) merely engaged in the competitive enterprise of challenging crime. The Magistrate’s role is to act as a “neutral and detached” individual who intervenes between the interests of the individual who has been alleged to have violated the law and the government’s interests in the prosecution of the individual behind the alleged criminal offense. I support the efforts of Marcus Crochet as Chief of Police. I also support that of Town Attorney, Richard Arceneaux. In fact, Richard Arceneaux is married to my second-cousin. I am not attempting to cast a suggestion, nor do I anticipate any wrongdoing as a result of their recommendations; however, it is my belief that it is blatantly contrary to the ideological approach behind a “neutral and detached” Magistrate to have their opinions impede rather significantly in the recommendations of the appointment of the Magistrate.

At the end of the day, as an elected public servant, I am sure I will hear about how this person or that person received a citation. Certainly, as long as the Welsh Police Department follows the law, they have a wide variety of discretion in citing people who they feel have violated the law. I have confidence in the way the Welsh Police Department conducts their operations, but at the end of the day, those who have had allegations pressed against them claiming that they have violated the law have a right under the Sixth Amendment to the United States Constitution to a fair trial in a court of law, which is absolute and cannot be limited. I ultimately want the court of law to be overseen by a Magistrate who is “neutral and detached”. I believe that it can be argued that the Town Attorney, Richard Arceneaux, as he has an invested interest in the government’s interests, unilateral interests, thus serving as the individual with the sole responsibility of prosecuting alleged criminal offenders, could not without a doubt provide a truly “neutral and detached” Magistrate. Certainly, I am simply expressing mere ideological approaches and the contradictions that I have with them in respect to Welsh, but again, at the end



of the day, when I hear of the many stories from my constituents to as how they were issued a citation and forced to pay it, I want to be absolutely sure that they experienced fairness. I do not want to set up a system that merely works against them. I want the People of Welsh or anyone who enters our courtroom to be treated with fairness as the face the consequences of their actions because it is not just who I am as a person, but again, I have sworn an oath to the United States Constitution, while also physically defending it, serving in the United States Armed Forces, supporting the things that America stands for, which sets us apart from any other country.

Surely, I, as an Alderman for the Town of Welsh, also have an interest in enforcing citations and ensuring that those who break the law are prosecuted. Not only is it necessary for promoting the safety and well-being of our community, but traffic citations are also a significant means for generating revenue within the Town of Welsh. I, as an Alderman, also have an invested interest to serve the People of Welsh. And, I, as an Alderman, other than perhaps having my nameplate present, am not a physical aspect of the courtroom, the venue where the formal judgment and/or decisions about a problem and/or disputed matters are organized. Ultimately, I believe that the Mayor and Board of Aldermen alone are best suited for making a recommendation that does not impede with legal principles and ideological approaches regarding the criminal justice system as we have bilateral responsibilities regarding this matter.

Once more, I am not close-minded in regards to the appointment of Mark Judson. Certainly, I would be open for discussion in regards to any other recommendation; however, at this time, I am only aware of Elliot Cassidy and Mark Judson as being our choices. In regards to Mark Judson, I feel that appointing him would have much less if any, ramifications in regards to public relations. He is a much more experienced attorney, having been admitted to the Louisiana State Bar Association in 1993. Truly, he would not necessarily be centralized within our parish, Jeff Davis Parish; however, Elliot Cassidy also is not a centralized figure in Jeff Davis Parish, working for the Calcasieu Parish District Attorney's Office. Though I feel that he would definitely be "neutral and detached" along with being fair. Also, I do not feel that he is a complete disconnect from Jeff Davis Parish. His father-in-law was William L. "Bill McLeod, Jr., a public servant who represented Jeff Davis Parish, served with distinctions in crafting a series of



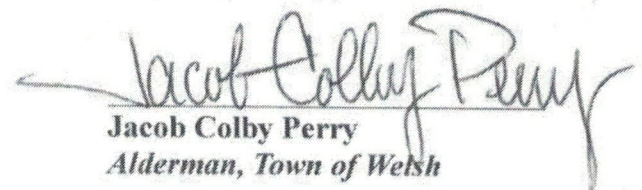
bills to change the way state government operated, making it more accountable to the public while in office as State Representative and State Senator before he became a judge of the Fourteenth Judicial District Court of the State of Louisiana. Despite the fact that Mark Judson is associated with a former politician through a family relation, like Elliot Cassidy, his association is rather distant, as he is the son-in-law rather than the son. His association is not blatantly apparent, especially as they have different surnames; therefore, I do not believe his appointment reflects an alliance to "the establishment".

Mark Judson alone is known throughout Jeff Davis Parish, having affiliations with the First Presbyterian Church, and various other prominent figures in the parish. He also has a weekly segment called "Legal Corner" on KPLC-TV. Lastly, I also believe that having someone even with their operations centralized in Calcasieu Parish would be beneficial because Calcasieu Parish is where economic expansion is taking place. Allowing someone who is individually prominent where economic expansion is taking place could also be beneficial in that they would inevitably serve as an ambassador for the Town of Welsh, acting as a representative and/or promoter of our activities. In my opinion, he is a superb candidate.

I am passionate about this matter because I believe we have been presented a unique opportunity. I am eager to take advantage of the opportunity; however, while taking advantage I also want to do it right. Hence, I want the appointment to be flawless in the public's view. And, I want the People of Welsh to appreciate those who serve in the community.

I appreciate your understanding and your consideration in regards to this matter. If you have any questions, please feel free to contact me to schedule an in-person discussion.

Very Respectfully,


Jacob Colby Perry
Alderman, Town of Welsh



CC:

Alderman, Andrea King
Alderman, Rodney Trahan
Alderman, Lawrence Mier
Alderman, Bob Owens

