

# LOUISIANA HOUSE OF REPRESENTATIVES



209 West Main Street  
4th Floor, Suite 403  
New Iberia, LA 70560  
Email: [hse048@legis.la.gov](mailto:hse048@legis.la.gov)  
Office: 337.373.4051  
Fax: 337.373.4053

## BEAU BEAULLIEU State Representative ~ District 48

COMMITTEES:  
House and Governmental  
Affairs - Chairman  
Atchafalaya Basin Program  
Oversight Committee  
Joint Legislative Committee  
on Capital Outlay  
Legislative Budgetary Control Council

CAUCUS ASSIGNMENTS:  
Acadiana Delegation - Chairman

November 5, 2024

Ms. La Koshia R. Roberts, Chairwoman  
Louisiana Board of Ethics  
P.O. Box 4368  
Baton Rouge, LA 70821  
[ethicsboard@la.gov](mailto:ethicsboard@la.gov)

Dear Chairwoman Roberts:

As you know, the legislature is in the process of conducting an oversight review of the Louisiana Board of Ethics ("Board") for sunset purposes. At the October 8, 2024, legislative oversight hearing, an inquiry was made to Ethics Administrator Kathleen Allen as to whether the Board would wait until January to replace the position of Ethics Administrator in light of the request made by Senate President Henry. Ms. Allen acknowledged receipt of the Senate President's letter, which requested that the Board wait until January to replace the Ethics Administrator when the new members of the Board are added. Ms. Allen represented that the Senate President's letter would be an item on the agenda for discussion at the next Board meeting, and, based on that discussion, the Board would determine an appropriate timeframe for replacing the Ethics Administrator. However, to my knowledge this consideration did not occur during an open meeting. Our dialogue can be found at the 2:44 minute mark of the archived video on October 8, 2024.

Following our meeting, I was surprised to learn that the opening for the Ethics Administrator position was posted on October 15<sup>th</sup> and subsequently closed 10 days later on October 25, 2024. There was no Board meeting held between the October 8<sup>th</sup> oversight hearing and the posting on the Civil Service website. In our meeting, Ms. Allen made mention of being in discussions with Civil Service but gave no indication that the Board was opening a window to start taking applications in a week's timeline of our discussions in the committee meeting. This is information that should have been disclosed to the committee. We should all expect more transparency out of a board that oversees ethics in Louisiana. It appears that the Board is choosing to participate in political games instead of holding itself to a higher standard. My question in the meeting about 'who is watching the watchers' seems to be most appropriate in this chain of events.

Moreover, the position—the highest administrative position within the Board of Ethics—only posted for 10 days, providing minimal notice to external applicants and, effectively, favoring those within the agency who were already aware of the posting. I understand that only four eligible applications were received, two of which were from current Board employees. Such a short timeframe for advertising an important role limits the opportunity for a diverse applicant pool, as reflected in the low number of applicants. It appears that the board met the minimum timeline requirements to advertise the position, but with no greater effort.

In addition, the decision to post the position was made without convening the Board or notifying the committee, contrary to the representations Ms. Allen made to the committee with respect to addressing Senate President Henry's letter to you regarding the time frame. It gives the appearance that, if the Board conferred about the Senate President's request, it occurred as the application window was closing and outside of an open meeting. This, combined with other decisions made by the Board in this process, suggests an intention to expedite hiring an ethics administrator before new appointments by the legislature and governor occur in January. This action, along with those taken in the September 5<sup>th</sup> and October 25<sup>th</sup> meetings, is concerning.

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At the Board's September 5, 2024 meeting, under a supplemental agenda item titled "Discussion of personnel matters in executive session" the Board entered executive session. The minutes from this meeting do not indicate that a vote was taken prior to entering into executive session as required by R.S. 42:16. If a vote occurred, the vote of each member on the question of holding such an executive session and the reason for holding it is not recorded in the minutes, which is in violation of R.S. 42:16. The minutes state that, upon returning to general session, a motion was made, seconded, and unanimously passed to "empower the Chairwoman to accept the resignation of the Ethics Administrator within the normal time frames used by the agency to post vacant positions."

According to the Board's agenda for the October 25, 2024, meeting, Senator Henry's letter was ultimately discussed under the agenda item "Discussion of personnel matters in executive session". Discussing Senator Henry's request in a closed executive session is improper, as it does not meet any of the exceptions to open meetings under R.S. 42:17. It appears this discussion aimed to validate actions the Board had already taken, posting the position on October 15<sup>th</sup> without convening or considering Senator Henry's letter in an open meeting.

I find these actions of the Board deeply concerning. By copy of this letter, I am requesting Attorney General Liz Murrill conduct an expedited Open Meetings Law investigation into the following actions:

- **September 5 Meeting:** The agenda item "Discussion of personnel matters in executive session" did not reasonably specify that the Chairwoman would be empowered to announce the vacancy for the highest position within the agency, in apparent violation of R.S. 42:19.
- **September 5 Meeting:** Accepting the Ethics Administrator's resignation, deciding to announce the vacancy nearly four months early, empowering the Chairwoman to act on the vacancy, and posting it 20 weeks in advance do not qualify as exceptions under the Open Meetings Law (R.S. 42:17) and were inappropriate for executive session. Addressing these matters in a closed session is an apparent violation of R.S. 42:14.
- **September 5 Meeting:** Either no vote was taken to enter executive session, or the minutes fail to accurately record such a vote, in apparent violation of R.S. 42:16.
- **September 5 Meeting:** The reason for entering executive session was not recorded in the minutes, in apparent violation of R.S. 42:16.
- **Subsequent Posting Decision:** The decision to post the Ethics Administrator position after the October 8<sup>th</sup> testimony, but before the October 25<sup>th</sup> meeting, was not made in an open meeting.
- **October 25 Meeting:** "Discussion of personnel matters in executive session," does not reasonably specify the consideration of Senator Henry's letter and the discussion of whether the Board would wait until January to fill the position in apparent violation of R.S. 42:19.
- **October 25 Meeting:** Discussing Senator Henry's letter in executive session did not meet any exceptions under the Open Meetings Law (R.S. 42:17), making it inappropriate for executive session and an apparent violation of R.S. 42:14.

Additionally, I am requesting that Board member(s) who authorized or were involved in the posting of the Ethics Administrator position attend the next scheduled House and Governmental Affairs meeting where we will add to our agenda an open discussion about the above-mentioned items.

Sincerely,



Gerald "Beau" Beaulieu, IV  
House District 48  
Chairman, House Committee on House and Governmental Affairs

cc: Kathleen Allen (Kathleen.Allen@la.gov)  
Attorney General Liz Murrill