

yourself. Do you understand that?

A Yes.

THE COURT: Is that what you want to do?

A Yes.

THE COURT: You understand further that if tried and convicted you would have the right to appeal?

A Yes, sir.

THE COURT: And, of course, since you will have no trial there will be no conviction, you will not have that part of your right of appeal. You can appeal any sentence that you may end up getting by the Court, but you will not have the benefit of a trial proceeding which may entail some basis for some appeal. Do you understand that?

A Yes.

THE COURT: Now, what you're charged with and what you have plead to is three counts of indecent behavior with

BOY SCOUTS OF AMERICA

DATE 8/24/87

FULL NAME Kenneth Michael Oubre SOCIAL SECURITY NUMBER [REDACTED]
(No initials if you can possibly get full name)

ADDRESS [REDACTED]

CITY Gonzales STATE LOUISIANA ZIP CODE 70731

DATE OF BIRTH August 10, 1954 (This is important and should be exact)

APPROXIMATE AGE _____ (To be used ONLY when date of birth is not known)

RELIGION Catholic NATIONALITY _____

OCCUPATION Deputy sheriff / photography

EDUCATION High School

WEIGHT 175 HEIGHT 5ft 6in ^{Approximate} RACE White

COLOR OF HAIR brown COLOR OF EYES brown

OUTSTANDING CHARACTERISTICS OR INTERESTS been in Scouting since Cub-Attained Eagle

MARRIED OR SINGLE Single CHILDREN None
(Number, ages, and names, if possible)

NAME OF SPOUSE _____

SCOUTING CONNECTIONS:

| UNIT # | CITY | STATE | POSITION | DATE REGISTERED | DATE RESIGNED |
|--------|------------------------|-------|----------|-----------------|---------------|
| T-81 | Gramercy, Louisiana | LA | SM | 2/3/86 | 7/29/86 |

SPECIAL RECOGNITION _____

SUSPENDED OR DENIED REGISTRATION FOR FOLLOWING REASONS:

Charged, convicted and sentenced

SPECIFY THE FACTS WHICH LEAD YOU TO RECOMMEND DENIAL OF REGISTRATION AND LIST ATTACHED SUPPORTING DOCUMENTS (STATE ONLY KNOWN FACTS, NOT RUMOR, CONJECTURE OR SPECULATION):

None

AUG 3 1'87

JOSEPH L. ANGLIM

AUG 24 1987

Signed [Signature]
SCOUT EXECUTIVE

Council 211

AL

March 19, 1991

Mr. John L. Erickson
Scout Executive
Istrouma Area Council, No. 211

PERSONAL AND CONFIDENTIAL

SUBJECT: KENNETH M. OUBRE

Dear John:

A recent check of our Ineligible Volunteer File against the National Eagle Scout Association indicated that the above named individual is presently a member of NESA.

This individual is listed on our Ineligible Volunteer File and will not be permitted to register with the Boy Scouts of America. We wanted you to be aware of this, so that the individual cannot participate in any activities with the council, simply because he is a member of NESA. He should not participate in any leadership capacity or assume any responsibility in the Boy Scouts of America. He could participate as a parent if he has a son or daughter involved.

We wanted to make you aware of this, so you would not involve him. Let us know if you have any questions.

Sincerely,

Paul Ernst, Director
Registration and Statistical Service

eko

cc: Bill J. Derrick, South Central Region, Sum SCR,

READY FOR FILE

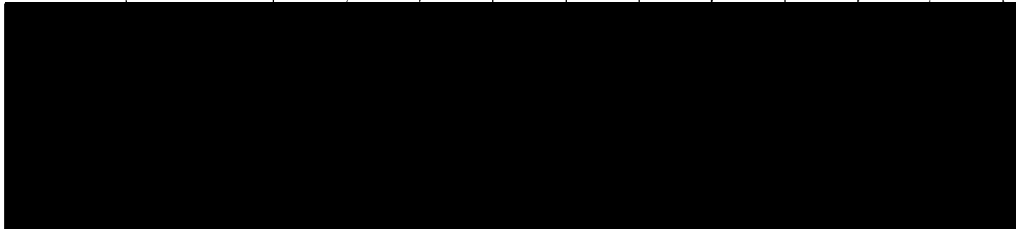
MAR 18 1991

ERIN O'RILEY

CONF013883

BOY SCOUTS OF AMERICA
EAGLE SCOUT SYSTEM
INELIGIBLE VOLUNTEER CHECKING MATCH REPORT - N.E.S.A. MEMBERS

| N.E.S.A. MEMBER FULL NAME | LAST NAME | FIRST NAME | MIDDLE NAME | SEX | BIRTH YEAR |
|---------------------------|----------------------|--------------------|-------------|-----|------------|
| DONALD H. OTWELL | OTWELL | D | | M | 00 |
| | COEHL | AMOS | FRANK | M | 27 |
| | COEHL | GLENN | | M | 44 |
| | STUELL | WILLIAM | BERNARD | M | 31 |
| | STUELL | ALTON | LOUIS | M | 37 |
| <u>KENNETH M. OUBRE</u> | CUBRE | K | | M | 56 |
| | OPFER | RAY | L | M | 49 |
| | CUBRE | KENNETH | M | M | 34 |
| CHARLES L. KUDIA | KUDIA | C | | M | 00 |
| | SOYA | ROBERT | E | M | 46 |
| | SOYA | SHANE | | M | 48 |
| CARL OUGHTON | OUGHTON | C | | M | 45 |
| | CATON | ALFRED | J | M | 44 |
| REV. JOHN J. GUPER | GUPER | J | | M | 58 |
| | CUBRE | KENNETH | M | M | 34 |
| JERALD D. OUTLAW | OUTLAW | J | | M | 42 |
| | OBELL | GLENN | | M | 44 |
| JESSE U. OVERALL IV | OVERALL | J | | M | 43 |
| | OVERHOLT | DAN | S | M | 47 |
| STEVEN S. OVERBECK | OVERBECK | S | | M | 42 |
| | OVERBY | ARCHER | R | M | 45 |
| STEPHEN V. OVERBY | OVERBY | S | | M | 00 |
| | OVERBY | ARCHER | R | M | 45 |
| ROBERT C. OVEREND | OVEREND | R | | M | 40 |
| | OBRYAN | JON | C | M | 36 |
| | OPFERMAN | RAYMOND | | M | 36 |
| LARRY A. OVERFIELD | OVERFIELD | L | | M | 45 |
| | OVERBY | ARCHER | R | M | 45 |
| DENNIS C. OVERHOLT | OVERHOLT | D | | M | 27 |
| | OVERHOLT | DAN | S | M | 54 |
| | OVERLIN | KIM | ALLEN | M | 54 |
| ROBERT OVERHOLT | OVERHOLT | R | | M | 50 |
| | OVERHOLT | DAN | S | M | 47 |
| | OVERLIN | KIM | ALLEN | M | 54 |
| RICHARD OVERHOLT | OVERHOLT | R | | M | 58 |
| | OVERLIN | KIM | ALLEN | M | 54 |
| <u>S. ALLAN OVERLIN</u> | OVERLIN | K | | M | 52 |
| | OVERHOLT | DAN | S | M | 54 |
| | OVERLIN | KIM | ALLEN | M | 54 |
| JOHN S. OVERLY | OVERLY | J | | M | 54 |



23RD JUDICIAL DISTRICT COURT
PARISH OF ST. JAMES
STATE OF LOUISIANA

[REDACTED] NO. 18204

VERSUS

DIVISION "C"

KENNETH M. OUBRE, ET AL

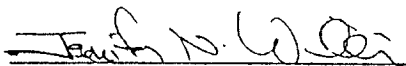
MOTION TO COMPEL

NOW INTO COURT, through undersigned counsel, come plaintiffs, [REDACTED] individually and on behalf of their minor children, [REDACTED] who move this court to compel defendants to more fully respond to plaintiffs' request for production of documents for the following reasons:

I.

Defendants' responses to plaintiffs' requests for production of documents numbers 1, 2, 5, 6, 7, 8, 9, and 10 are inadequate. Defendants have no basis at law for the refusal to provide the requested information, which is clearly both relevant and designed to lead to the discovery of relevant evidence. Accordingly, plaintiffs pray that defendants be compelled by this Honorable Court to fully respond to plaintiffs request for production of documents as set forth above; plaintiffs further pray for attorneys' fees and all costs of bringing this motion.

Respectfully submitted,


Jennifer N. Willis (14877)
R. Glenn Cater (4048)
Cater & Willis (APLC)

[REDACTED]
New Orleans, Louisiana 70120

[REDACTED]
New Orleans, Louisiana 70120
Telephone: [REDACTED]

Steven Scheckman (8472)
Attorney at Law

[REDACTED]
New Orleans, Louisiana 70130

Mark McTernan
McTernan & Parr

[REDACTED]
New Orleans, Louisiana 70112

23RD JUDICIAL DISTRICT COURT
PARISH OF ST. JAMES
STATE OF LOUISIANA

NO. 18204

VERSUS

DIVISION "C"

KENNETH M. OUBRE, ET AL

ORDER

IT IS HEREBY ORDERED that defendants, Boy Scouts of America and Istrouma Area Council Boy Scouts of America, show cause on the _____ day of _____, 1990, why they should not be compelled to more fully respond to plaintiffs' request for production of documents numbers 1 through 10, and further why they should not pay reasonable attorneys' fees and all costs of bringing this motion.

JUDGE

PLEASE SERVE:

Wilbur Woods Reynaud
Attorney at Law

[REDACTED]
Lutcher, Louisiana 70071

David K. Nelson
Kean, Miller, Hawthorne,
D'Armond, McCowan & Jarman

[REDACTED]
Baton Rouge, Louisiana 70825

Thomas J. Kliebert, Jr.

[REDACTED]
Gramercy, Louisiana 70052

Jeanmarie LoCoco
Jones, Walker, Waechter, Poitevent,
Carrere & Denegre

[REDACTED]
New Orleans, Louisiana 70170

23RD JUDICIAL DISTRICT COURT

PARISH OF ST. JAMES

STATE OF LOUISIANA

NO. 18204

VERSUS

DIVISION "C"

KENNETH M. OUBRE, ET AL

MEMORANDUM IN SUPPORT OF PLAINTIFFS' MOTION TO COMPEL

MAY IT PLEASE THE COURT:

Plaintiffs bring this motion to compel to address the insufficiencies of the responses of the Boy Scouts of America and the Istrouma Area Council, Boy Scouts of America, to plaintiffs' second request for production of documents.

As this court is aware, the instant case involves the sexual molestation of two minor children by their scoutmaster, Kenneth M. Oubre. In their petition, plaintiffs made a claim against Oubre for intentional tort and against the Boy Scouts of America (BSA) and the Istrouma Area Council, Boy Scouts of America (Istrouma) for the following negligent acts:

- a) Failing to take prudent and reasonable precautions to assure that the defendant, Kenneth M. Oubre, did not have a history of or, characteristics that would suggest a propensity toward child sexual molestation.
- b) Appointing Kenneth M. Oubre as an Assistant Scoutmaster when they knew or should have known of his propensity for committing the sexual acts complained of herein;
- c) Carelessly and negligently selected an adult leader for plaintiffs' sons;
- d) Failing to warn plaintiffs of the known sexual propensities of the defendant, Kenneth M. Oubre;
- e) Failing to require Kenneth M. Oubre to undergo psychological testing/counseling when they knew or should have known of his propensity to commit the sexual acts complained of herein;
- f) Allowing Kenneth M. Oubre to continue with his duties as a Scoutmaster/Assistant Scoutmaster when they knew or should have known of his propensity to commit the sexual acts complained of herein;
- g) Failing to properly supervise Kenneth M. Oubre;

- h) Failing to properly supervise the two (2) minor children herein;
- i) Acting improperly under the circumstances;
- j) Failing to see what should have been seen;
- k) Failing to use the required degree of care commensurate with the circumstances; and
- l) Other acts of negligence which may become apparent during investigation and trial of this matter.

Defendants filed an exception of no cause of action and moved to strike certain portions of the plaintiffs' petition. This court in fact struck certain elements of the plaintiffs' petition, ruling that BSA and Istrouma had no legal duty to the plaintiffs to discover or protect against the criminal propensities of a third party, but only a duty to warn against any known criminal propensity of Oubre.

On appeal by plaintiffs, the Fifth Circuit Court of Appeal reversed, finding that if in fact Istrouma and BSA were guilty of negligence as alleged in the petition and if that negligence caused the plaintiffs' harm, BSA and Istrouma they had a duty to the plaintiffs that went beyond the duty to warn of Oubre's known criminal propensities.

The Court of Appeal stated:

Plaintiffs' allegations of fact are that, under the auspices of BSA, Istrouma undertook to promote, administer and supervise the boy scout program in their community; that Istrouma knew or should have known that the scoutmaster, Oubre, had sexually molested troop members; that these defendants failed to investigate Oubre's background, failed to supervise him and the scouts themselves and failed to inform the parents of Oubre's sexual abuse of the troop members. The claims allege that these defendants assumed and owed a duty of reasonable care to both plaintiff-██████ as boy scouts and to their parents. They allege that the risk of harm, that a scoutmaster acting within the boy scout program would sexually assault troop members, is easily associated with the duty, or obligation undertaken, with the foreseeable risk of injury to the scouts, and with the harm that occurred. The duty of reasonable care, whether characterized as a duty to investigate (discover) to supervise (protect) or to warn, encompasses the risk of harm which plaintiffs encountered.

Our reasoning that plaintiffs have adequately pleaded a cause of action, facts on which a duty is founded, is supported by two lines of jurisprudence which set forth the scope of the duty owed. The law provides that one who undertakes the control or supervision of a child owes a duty to exercise reasonable care to protect the

child from injury. [REDACTED] v. Southern Farm Bureau, Inc., 225 So. 2d 30 (La. App. 3 Cir. 1969). In large measure, the duty is illustrated in suits brought against schools and their teachers for injury to students, where it is described as the duty to exercise reasonable supervision commensurate with the age of the children and the attendant circumstances. Prier v. Horace Mann Ins. Co., 351 So. 2d 265 (La. App. 3 Cir. 1977). The duty, however, is not limited to a special, school-student relationship. Hernandez v. Toney, 289 So. 2d 318 (La. App. 1 Cir. 1973). Rather it exists because when the obligation of supervision is undertaken, the duty of reasonable care is owed. Here plaintiffs' allegations is that Istrouma and BSA undertook to supervise the boy scouts program, and that they breached the duty of care owed.

We further recognize the legal principle that an actor has no duty to control the conduct of a third person so as to prevent him from causing physical harm to another unless a special relationship exists between the actor and the other so as to afford the other a right to protection. We decline to adopt the arguments of Istrouma and BSA, that the existence of a special relationship is limited to those found in current reported decisions or that it arises through payment of a fee. The law is not a static concept, both civilian and common theory provide for its application and extension as the case arises. LSA-C.C. art. 2315, Prosser, supra, at 174. Plaintiffs have pleaded the existence of a special relationship between themselves, Oubre, Istrouma and BSA. Where such relationship exists, the law currently characterizes the duty as one to warn of risks of which the actor knew or should have known. See generally Harris v. Pizza Hut of Louisiana, Inc., 455 So. 2d 1364 (La. 1984); Banks v. Hyatt Corp., 722 F. 2d 214 (5 Cir. 1984).

We hold that the district court committed error in limiting plaintiffs' claims at this juncture to the allegation that Istrouma and BSA owed solely the duty to warn of a known criminal propensity of Oubre. Plaintiffs have stated a cause of action, a claim for which the law affords a remedy, that is broader than this allegation. Sandborn v. Oceanic Contractors, Inc., 448 So. 2d 91 (La. 1984). All of plaintiffs' allegations of negligence contained in the amended petition are revived.

The case has been remanded by the Fifth Circuit for further proceedings consistent with its opinion.

Defendants' responses to plaintiffs' motion for production of documents reveal an intent on the part of the defendants to "stonewall" plaintiffs' reasonable request for obviously discoverable information. In this 10-item request for production of documents, plaintiffs are seeking to determine what information, if any, BSA and Istrouma had regarding the nationwide problem of sexual molestation of boy scouts by scoutmasters. The plaintiffs are aware that BSA does in fact retain files regarding incidences of sexual molestation. These

files are clearly relevant to the adequacy of BSA's screening process for scoutmasters and to the plaintiffs' allegation that the defendants should have known of Oubre's sexual propensities in particular. Each of the items will be addressed separately.

Request for production number 1 reads:

Please provide any and all documents containing data or other statistical information regarding the number of reports of sexual molestation upon minor boy scouts by adult unit scout leaders within the last ten years.

The defendants have objected to the request on the grounds that it is "overbroad, vague, burdensome, argumentative, and harassing." Further, the defendants assert that the information requested is "irrelevant, immaterial and is not calculated to lead to the discovery of any potential, relevant or material evidence in this cause." Such an allegation is patently untrue. The prior knowledge of the Boy Scouts of America as to reports of sexual molestation upon minor boys by adult scout unit leaders goes to the very heart of the plaintiffs' case. It is only from such information that the plaintiffs can determine whether BSA and Istrouma should have generated a profile or list of characteristics which should have led them to be suspicious of Kenneth Oubre. Further, the defendants' assertion that they have "no documents in [their] possession which satisfy plaintiffs' request, as written" is believed by plaintiffs to be untrue.

Plaintiffs' second request for production asks:

Please provide any and all booklets and articles "published" or disseminated by the defendants on the subject of sexual molestation in general and specifically regarding the sexual molestation of minor boy scouts by adult unit leaders within the last ten years.

The defendants' objections to item number 2 are identical to those voiced to item number 1. The defendants further object to item number 2 to the extent that the request seeks documents published subsequent to the date of the instance complained of. Again, information published or disseminated by defendants which shows their knowledge of the nationwide problem of sexual molestation of boy scouts by adult unit leaders is relevant to prior knowledge which should, in turn, have led defendants to be

suspicious of Kenneth Oubre.

Request for production of documents number 5 asks for the following information:

Please produce all documents, memoranda, notes, or other papers maintained by the defendants pertaining to Kenneth M. Oubre and his association as a unit leader with Troops 81 and 151.

Defendants have objected to this request for production "to the extent that the request attempts to acquire the production of documents that are protected by the attorney client privilege or represent the work product of respondent attorney." In order to invoke attorney client or work product privileges, the defendants must describe the documents which are sought to be protected and explain on a document-by-document basis why the privileges are claimed to apply. Plaintiffs would ask that on this item the court at least order an in-camera inspection of any documents that are asserted to be privileged so that the court can determine whether the privilege in fact applies.

Request for production of documents number 6 asks:

Please provide any and all documentation, data, reports or other recorded information dealing with the reports of sexual abuse upon minor boy scouts by unit scout leaders within the Boy Scouts of America, Inc., nationally, designating locations of occurrences including any information from the Istrouma Area Council within the last ten years.

Again, the defendants interpose an objection to this document request identical to the objection to numbers 1 and 2. Information regarding prior acts of sexual molestation by scoutmasters on minor boy scouts is not only relevant but critical to the plaintiffs' case. Through this information, the plaintiffs expect to be able to establish that there is a pattern in these molestations, that the defendants had substantial and overwhelming prior knowledge that such acts had occurred and were likely to occur again, and that the defendants took no action to screen out the potential "bad apples" within the Boy Scout organization. Again, the defendants are well aware that this information is relevant and discoverable and this represents another attempt on their part to "stonewall" the plaintiffs from obtaining vital information.

Request for production of documents number 7 asks for the following:

Please provide any and all data, reports, or other recorded information in any way dealing with the programs, practices and procedures developed by both Boy Scouts of America, Inc. and the Istrouma Area Council to prevent and combat the sexual molestation or abuse of minor boy scouts by adult boy scout unit leaders as well as any information, data, or other recorded information showing the dates and means of dissemination of these programs, practices and procedures to area councils, charter organizations, and units.

The Boy Scouts' objection to this request is that the request is "vague, overly broad, burdensome, argumentative, and harassing." It is not. The defendants then state that the information does not exist. Plaintiffs have reason to believe that the Boy Scouts have in fact generated data and reports regarding programs, practices and procedures designed to combat sexual molestation or abuse of minor boyscouts by adult boy scout unit leaders.

Requests for production of documents numbers 9 and 10 ask for the following:

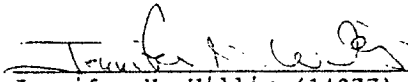
Please provide a list of all pending cases against Boy Scouts of America, Inc. dealing with the issue of sexual molestation and/or abuse which is maintained in the office of the Boy Scouts of America, Inc.

Please provide a list of all closed cases within the last ten years against Boy Scouts of America, Inc. dealing with the issue of sexual molestation and/or abuse which is maintained in the office of Boy Scouts of America, Inc.

The defendants object to both of these requests for production on the grounds that they are "burdensome, harassing and that the information requested is irrelevant, immaterial, and not calculated to lead to the discovery of any potentially relevant or material evidence in this cause." Again, information regarding history in the Boy Scouts of prior acts of sexual molestation is critical to the plaintiffs' assertion that the Boy Scouts knew that a pattern of molestation occurred, that the Boy Scouts suppressed the information regarding molestation rather than making it available to parents and that the Boy Scouts failed to act on the information which they generated to prevent future acts of sexual abuse.

Both plaintiffs and defendants are aware that this information is discoverable, relevant, and, indeed, critical. The defendants' responses were not made in good faith and the plaintiffs are entitled to sanctions and attorneys' fees for the necessity of bringing this motion.

Respectfully submitted,



Jennifer N. Willis (14877)
R. Glenn Cater (4048)
Cater & Willis (APLC)

[REDACTED]
New Orleans, Louisiana 70190

[REDACTED]
New Orleans, Louisiana 70130
Telephone: [REDACTED]

Steven Scheckman (8472)
Attorney at Law

[REDACTED]
New Orleans, Louisiana 70130
Telephone: [REDACTED]

Mark McTernan
McTernan & Parr

[REDACTED]
New Orleans, Louisiana 70119
Telephone: [REDACTED]

CERTIFICATE

I hereby certify that a copy of the foregoing has been served on counsel for all parties.

Date: 6-5-90 

METRO/STATE

- Dixie OKs refund 2B
- Jackson criticizes policies . . . 3B
- Missile action questioned . . . 5B

MORNING ADVOCATE Baton Rouge, Louisiana Tuesday, Aug. 18, 1987

Former Scout leader sentenced to 6 years in sex case

By TIM TALLEY
The River parishes bureau of the Louisiana Department of Social Work has charged with 87 counts of indecent behavior with a juvenile to which Oubre pleaded guilty Dec. 9, 1986. The sentences are to run consecutively.

CONVENT — Kenneth M. Oubre, a former Boy Scout leader and detective for the St. James Parish Sheriff's Office, was sentenced to six years in prison Monday for having sexual relations with young boys.

Twenty-third Judicial District Judge A. J. Kling Jr. sentenced Oubre, 33, of Gramercy, to two years in prison on

each of three counts of indecent behavior with a juvenile to which Oubre pleaded guilty Dec. 9, 1986. The sentences are to run consecutively.

Kling said he was ordering Oubre to prison because studies have shown he is a "fixated pedophile" who is "extremely unlikely ever to achieve a cure."

Oubre was suspended from his position as chief of communications for the Sheriff's Department after he was

charged with 87 counts of oral sexual battery of a juvenile, carnal knowledge of a juvenile and molestation of a juvenile in July 1986, authorities said. District Attorney Donald T. Carmouche said later that interviews with Oubre's victims allowed authorities to document three counts of indecent behavior with a juvenile. All of the charges involved boys about 12 years old, Carmouche said.

"The defendant exploited his position as a member of the St. James' Parish law enforcement community which he pleaded guilty. Oubre placed a \$50,000 post-sentence bond in prison and a fine of \$100 in his written reasons for ordering Oubre to prison. Kling said he declined to suspend Oubre's sentence because "there is an undue risk that during the period of a suspended sentence this defendant would commit another crime."

In addition to the jail sentence, Kling ordered Oubre to pay a \$500 fine and court costs on each of the three counts to

SEE OUBRE, 2B

unless they are in the company of the child's parents.

Sheriff's detectives began investigating Oubre's alleged sexual misconduct after the parents of a 12-year-old victim lodged a complaint against him, authorities said. The boy's parents learned of their son's involvement with Oubre from an older person in whom the boy had confided. Oubre joined the Sheriff's Department in 1975.

He was leader of a Gramercy Boy Scout troop to which the 12-year-old boy belonged, officials said.

Boy Scout Troop 81, a relatively

small and inactive organization, was formed in January 1986, about the time Oubre's involvement with the young boy began, according to officials.

Oubre was involved with the boy for about seven months, authorities said. Kling said not sending Oubre to prison would diminish the seriousness of the offenses and would be unfair to Oubre's victims.

He also said it would tend to perpetuate the problem of child sexual abuse in general. Kling wrote that statistics show that two children are sexually molested in the United States every two minutes.

The judge said in his written reasons for judgment that not imposing a jail sentence in Oubre's case would fail to recognize " . . . the crisis proportion of the problem in the country of sexual child abuse and molestation of children in general."

Oubre's actions had a "scarring effect" on the victims and the community," Kling said.

Oubre was motivated solely by his desire to satisfy his own feelings of lust and his young victims may never fully recover from the effects, the district judge wrote.

Brewer wants

3/10
10-1

August 10, 1987

Mr. William P. Lucas
Scout Executive
Istrouma Area Council, No. 211

PERSONAL & CONFIDENTIAL

SUBJECT: Kenneth Oubre

Dear Bill:

Thank you for sending the material which you recently transmitted concerning the above-named individual. This material is adequate to refuse registration should Mr. Oubre try to register at some other time and place.

I am enclosing a Confidential Record Sheet which I would like to have completed so that we may identify him should he place a registration application through another council.

If you have the final sentencing, we would also like a copy of that action as this will then complete our file.

Thank you again for your help in protecting the youth of America.

Sincerely,

Paul Ernst, Director
Registration Service

eak

Encl.

cc: South Central Region

READY TO FILE
AUG 10 1987
ERIN O'RILEY

*Added to CF file
Not registered at
this time
8-12-87
cm*

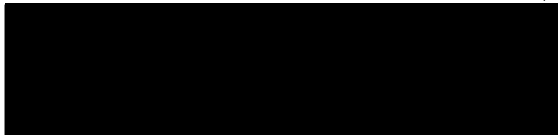


SCOUTING/USA

July 31, 1987

A program for Scouts, Boy Scouts, and Explorers

Istrouma Area Council, Inc.
BOY SCOUTS OF AMERICA



NO

Ms. Debbie Duhs
Risk Management S 402
National Office, BSA
1325 Walnut Hill Lane
Irving, TX 75038-3096

Dear Debbie:

Enclosed are copies of the newspaper articles concerning Kenneth Oubre the subject of the summons we received where [redacted] vs. No. 18,204 Kenneth M. Oubre and the Istrouma Area Council, Boy Scouts of America. You can see from the newspaper articles that Mr. Oubre was charged on July 30, 1986 with 87 counts each of oral sexual battery of a juvenile and other charges. Also please note that on December 12, Mr. Oubre plead guilty to a lesser charge of 3 counts of indecent behavior. You will also find enclosed a letter that was written to Mr. Oubre on the same day that the original newspaper article appeared, July 29, 1986. This letter of suspension was written to Mr. Oubre with advice from the Regional Office. Please find copy attached. I am also sending a copy of his registration application.

Please see that the registration service receives a copy of this information.

Sincerely,

William P. Lucas
Scout Executive

WPL/j1

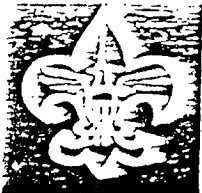
- Enclosures: Letter to Kenneth M. Oubre, dated July 29, 1986
- Copy of article, Morning Advocate, July 29, 1986
- Copy of article, Morning Advocate, dated Dec. 12, 1986
- Copy of Registration application



A UNITED WAY AGENCY

RISK MANAGEMENT
AUG. 4 1987

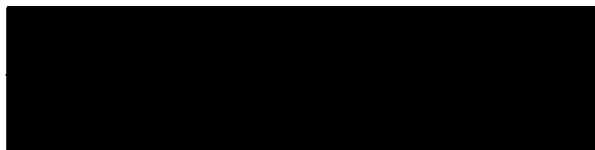
RISK MANAGEMENT
AUG. 4 1987



SCOUTING/USA

A program for Cub Scouts, Boy Scouts, and Explorers

Istrouma Area Council, Inc.
BOY SCOUTS OF AMERICA



July 29, 1986

Mr. Kenneth M. Oubre



Gramercy, LA 70052

Dear Kenny:

After careful review, we have decided that your registration with the Boy Scouts of America should be suspended. We are therefore compelled to request that you sever any relations that you may have with the Boy Scouts of America pending the outcome of the investigation of the St. James Sheriff's Department.

We reserve the right to suspend or refuse registration whenever there is a concern that an individual may not measure up to the high standards of leadership which the Boy Scouts of America seek to provide for America's youth. Please also understand that this decision and the reason for it will be maintained as confidential.

If you want to have this decision reviewed, please write to me, explaining your version of the facts to support your claim that your registration as a BSA leader should be granted or reinstated.

Sincerely,

William P. Lucas
Scout Executive

WPL/fmb



A UNITED WAY AGENCY

CONF013898

NEW TROOP APPLICATION

PRINT ONE LETTER IN EACH SPACE.
LEAVE A SPACE BETWEEN WORDS

FOR OFFICE USE

| REGION | COUNCIL NO. | DISTRICT NO. | NATIONAL UNIT NO. | LOCAL UNIT NO. | TERM (months) | EXP. DATE Mo. & Yr. |
|--------|-------------|--------------|-------------------|----------------|---------------|---------------------|
| SC | 211 | 5 | 5087 | 81 | 12 | 1/81 |

CITY PAULINA COUNTY PAULINA DISTRICT DISTRICT STATE LA CHRT. ORG. CODE 11619

SIT. JAMES PARISH FULL NAME OF CHARITABLE ORGANIZATION → PAULINA BRAND POINT BELMONT VOL. FIRE DEPT. PAULINA MOBILE FIRE DEPT. ADDRESS

NAME AND TITLE OF EXECUTIVE OFFICER CAMILLE CLARNA GAGNON - CHIEF PHONE NO. CITY AND STATE OF EXECUTIVE OFFICER WESTER LA 70743 ZIP CODE

Signature of Executive Officer: Camille Garnier
TROOP MEETING PLACE AND DAY: PAULINA - GRAND POINT FIRE DEPT. TUESDAY

Signature of Scoutmaster: Kenneth P. De
SIGNATURE OF SCOUTMASTER

| | | |
|---|------------------------|--------------------------|
| SCOUTMASTER TRAINED | BOYS' LIFE INFORMATION | REGISTRATION INFORMATION |
| 100% BOYS' LIFE UNIT | NOV 16 | SCOUT REGISTRATION FEES |
| FIRST ISSUE | LAST ISSUE | LEADER REGISTRATION FEES |
| SUBSCRIPTION TERM | NOV 11 | BOYS' LIFE FEES |
| Troop has affiliation with Webelos den? | YES (NO) 3 | TOTAL FEES |

\$ 18.00
\$ 20.00
\$ 14.80
\$ 57.80

ADULT APPLICATION

PACK NO. TROOP NO. 81

COUNCIL/DISTRICT ION

PLEASE PRINT ONE LETTER IN EACH SPACE—
PRESS HARD, YOU ARE MAKING THREE COPIES.
FIRST NAME AND INITIAL

LAST NAME

K E N N E T H M . O U B R E

ADDRESS—STREET OR R.F.D.

[REDACTED ADDRESS]

ADDITIONAL ADDRESS INFORMATION

[REDACTED ADDRESS]

CITY

G R A M E R C Y L A 7 0 0 5 2 - 0 7 8 7

CIRCLE B OR II

PHONE 2-3-86

ISTROUMA

DATE

Asst. Scoutmaster,
LIEUTENANT, ST. JAMES PARISH SHERIFFS DEPT., CONVENT LA

COUNCIL

OCCUPATION, EMPLOYER, AND BUSINESS ADDRESS

SIGNATURE—SEE COVER

REGISTRATION FEE \$ 5.00 BOYS' LIFE FEE \$ 12.00 TERM (MONTHS) 12 UNIT RENEWAL DATE 01-87

MONTH YEAR

If applicant has an unexpired membership certificate, registration may be accomplished in this unit by a payment of 50 cents for processing the transfer. Check the box and attach certificate. It will be returned by the council.

APPROVAL SEE COVER
FOR COUNCIL USE: TRANSFER FROM COUNCIL NAT'L UNIT NO. MEMBER ID NO.

Former Scout leader pleads guilty to indecent behavior

By DARLENE DENSTORFF
Advocate correspondent

CONVENT — A suspended St. James Parish Sheriff's Department communications officer and former Boy Scout leader has pleaded guilty to three counts of indecent behavior with three boys, District Attorney Donald T. Carmouche said.

Carmouche said Kenneth Oubre, 32, of 1240 Ezidore Ave. in Gramercy, pleaded guilty to the three felony counts Tuesday before 23rd Judicial District Judge A.J. Kling.

All three of the boys are "about 12 years old," Carmouche said.

Kling deferred sentencing pending the results of a presentence investigation and allowed Oubre to be released on a \$50,000 bond, Carmouche said.

Oubre could be sentenced to up to seven years in prison or fined up to \$5,000 or both on each count, Carmouche said.

Oubre originally was charged in July with 87 counts each of oral sexual battery of a juvenile, carnal knowledge of a juvenile and molestation of a juvenile.

But those charges never were substantiated by a grand jury or the district attorney's office, Carmouche said. Those original charges resulted from complaints to the Sheriff's

Office.

"After thorough investigation by the Sheriff's Office and after two psychiatrists interviewed all three potential victims, we were able to document three counts of indecent behavior with a juvenile," Carmouche said.

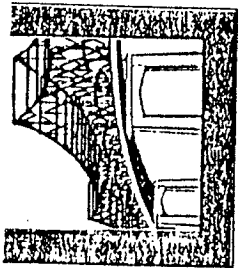
"These are three serious counts, and they are documented," he said.

The case developed after one of the three victims confided in an older person who took the accusations to the Sheriff's Department, the district attorney said.

Oubre was suspended without pay from his job as chief of communications with the Sheriff's Department after a due-process hearing. His position as leader of a local Boy Scout troop also was ended, Carmouche said.

Oubre, a sheriff's deputy since 1975 and one of the highest ranking officers in the Sheriff's Department, was the leader of a small Boy Scout troop in Gramercy to which at least one of the boys belonged, according to authorities.

In addition to his duties as a communications officer, Oubre has acted as the Sheriff's Department's public affairs spokesman and issued statements to the news media concerning Sheriff's Office investigations.



METRO/STATE

Third lawsuit filed. 2B
 Wal-Mart site studied 3B
 Murder trial motions 8B

MORNING ADVOCATE Baton Rouge, Louisiana Tuesday, July 29, 1986

Deputy charged with sexual battery

By TIM TALLEY
River parishes bureau

CONVENT — The chief of communications for the St. James Sheriff's Department was charged Monday with dozens of counts of oral sexual battery and other sex crimes involving a 12-year-old boy, authorities said.

Lt. Kenneth Oubre was charged with 87 counts each of oral sexual battery of a juvenile, carnal knowledge of a juvenile and molestation of a juvenile,

said Chief Sheriff's Deputy Steve Reed. Oubre, 31, of 1240 N. Ezadore Ave. in Grameray, was booked at the parish jail here and released after he posted a \$50,000 appearance bond, Reed said.

Oubre was suspended with pay from his position as head of the Sheriff's Office's communications division. He has been a sheriff's deputy in St. James Parish since 1975.

Departmental policies require that Oubre receive a due process hearing presided over by Sheriff Gordon Martin

before any disciplinary action is meted out against him, Reed said.

A hearing may be held within 30 days, he said. Oubre could be suspended indefinitely or dismissed from the Sheriff's Office following the hearing.

"These are very serious allegations. But, Kenny has not been found guilty of anything," Reed said.

"These are just allegations and his guilt or innocence will be determined in a court of law," Reed said.
 Detectives are still investigating the

accusations of sexual misconduct, he said. There is no indication whether more than one victim is involved in Oubre's alleged sexual misconduct and whether more charges will be filed against him later.

"We are involved in a very intense investigation," Reed said. Oubre is one of the Sheriff's Office's highest ranking officers. In addition to his responsibilities as a communications officer, in recent years he has served as the department's public affairs spokesman and has issued

press releases to the news media. Sheriff's investigators began looking into Oubre's activities after the parents of Oubre's alleged 12-year-old victim lodged a complaint against him Friday, Reed said.

The boy's parents learned of their son's involvement with Oubre from an older person in whom the boy had confided, Reed said.

According to statements given to investigators by the victim, Oubre has had a sexual relationship with the young

St. James Parish boy for the past seven months, Reed said.

The alleged incidents occurred while Oubre was off duty and are not related to his responsibilities as a sheriff's deputy, Reed said.

"This was not during duty time. This was off duty," the chief deputy said.

Investigators reportedly have questioned the young boy about whether he was coerced or threatened. The victim was not physically harmed and is in good condition, Reed said.

STATE OF LOUISIANA

VERSUS #855

KENNETH OUBRE

23RD JUDICIAL DISTRICT COUR

PARISH OF ST. JAMES

STATE OF LOUISIANA

THE HONORABLE A. J. KLING, JR.,
Presiding,

TRANSCRIPT OF THE PROCEEDINGS HAD IN THE ABOVE-
ENTITLED MATTER HELD ON DECEMBER 9, 1986, IN
CONVENT, LOUISIANA.

FOR THE STATE:

ABBOTT REEVES
ASSISTANT DISTRICT ATTORNEY
[REDACTED]
DONALDSONVILLE, LA

FOR THE DEFENSE:

WILBUR WOODS REYNAUD
ATTORNEY AT LAW
[REDACTED]
LUTCHER, LA 70071

MR. REEVES: Judge, we have before the Court an arraignment STATE V. KENNETH M. OUBRE, O-U-B-R-E, with three counts of indecent behavior with a juvenile. I understand that he wants to plead guilty. Judge, that was filed on this day, December the 9th, 1986, through retained counsel, Mr. Wilbur Reynaud, Mr. Oubre is going to Plead guilty as charged; is that correct?

A Yes, sir.

THE COURT: Let the Clerk formally arraign him.

Face the Clerk, Mr. Oubre.

MR. CLERK: STATE OF LOUISIANA VERSUS # 855, KENNETH M. OUBRE. The ADA for the 23rd Judicial District in the Parish of St. James, charges that Kenneth M. Oubre, on or about January of 1986, then and through July of 1986, committed the offense of three counts of indecent behavior with a juvenile, violating the revised Statute

of 14:81, in that; count number one, he did commit an lewd or lascirious act on the person or in presence of a child under the age 17, there being an age difference of greater than two years between the persons and the defendant being over the age of 17, by masturbating in the presence of [REDACTED]

Count number two, he did commit a lewd or lascirious act in the presence of a child under age 17, there being an age difference of greater than two years between the persons and the defendant being over the age of 17, by masturbating the presence of [REDACTED]

Count three, he did commit a lewd act in the presence of a child under the age of 17, there being an age difference of greater than two years between the persons, and the defendant being over age 17, by masturbating in the presence of [REDACTED], contrary to the laws

and write?

A Yes, sir.

THE COURT: Are you presently employed?

A Not at this moment.

THE COURT: Have you discussed this matter with Mr. Reynaud and has he advised you of all of your constitutional rights?

A Yes.

THE COURT: And do you understand those rights?

A Yes.

THE COURT: And do you want to plead guilty to these three counts?

A Yes.

THE COURT: In this Bill of Information, number 855?

A Yes.

THE COURT: In order for the Court to accept this plea the Court must be satisfied that you are pleading guilty freely and voluntarily and that you understand what it is that you are doing. So, I will ask you, are you doing this freely and

of the State of Louisiana and
against the peace and dignity
of the same. Kenneth M. Oubre,
how do you plead?

A Guilty.

THE CLERK: Guilty, Your Honor.

THE COURT: Swear him in, Mr.
Clerk.

KENNETH OUBRE,
WAS DULY SWORN, TO TELL THE TRUTH, THE WHOLE TRUTH
AND NOTHING BUT THE TRUTH, TESTIFIED ON HIS OATH AS
FOLLOWS:

THE COURT: Have a seat,
please.

State your full name for the
Court, Mr. Oubre.

A Kenneth Michael Oubre.

THE COURT: And how old are
you?

A Thirty-two.

THE COURT: And what is your
address?

A

THE COURT: What is your
educational background?

A Up to one year of college.

THE COURT: So, you can read

these matters beyond a reasonable doubt and that by pleading guilty to these crimes you are giving up your presumption of innocence? Do you understand that?

A Yes.

THE COURT: And is that what you want to do?

A Yes.

THE COURT: Do you understand further that if tried you would be entitled to be tried by a Jury or entitled to be tried without a Jury? Do you understand that?

A Yes, sir.

THE COURT: You understand further that you have the right to an attorney. Mr. Reynaud is your counsel who is employed by you; is that correct?

A Yes.

THE COURT: I'm sure that Mr. Reynaud is prepared and will do everything that is required of him as your attorney. Do you understand that?

A Yes.

THE COURT: Do you understand further that if tried, you would have the right during trial to confront any witnesses called by the State to testify, in favor of the State or against you, by cross examination through your lawyer. You have the right to cross examine all State witnesses. Do you understand that?

A Yes, sir.

THE COURT: You understand further that, if tried you would have the privilege of self-incrimination during trial and, of course, you have that privilege now also. You have that privilege at every stage of this proceeding. You are not required during trial to take the witness stand, or now, and or required to incriminate yourself in any way. When you plead guilty, of course, you are, in fact, incriminating

voluntarily?

A Yes.

THE COURT: And do you feel that you understand what you are doing?

A Yes.

THE COURT: Do you have any questions of the Court at this time before the Court proceeds to explain to you certain rights that you are giving up, or waiving by pleading guilty to these crimes?

A Yes, sir.

THE COURT: Are you presently under the influence of anything; medicine, drugs, anything which would prohibit or impair your ability to understand what it is that you are doing?

A No.

THE COURT: Do you understand that under the law you are presumed to be innocent until proven guilty and that the burden is upon the State to prove your guilt to each one of

juveniles. The elements of that crime is, the commission by anyone over the age of -- Let me read it out of the book. The definition of that crime as defined by Article 81 in the Criminal Code is, "Indecent behavior with juveniles is the commission by anyone over the age of seventeen of any lewd or lascivious act upon the person or in the presence of any child under the age of seventeen where there is an age difference of greater than two years between the two persons with the intention of arousing or gratifying the sexual desires of either person." It goes on to say that lack of knowledge of the child's age shall not be a defense.

Do you think you understand that crime, the definition of it, the elements of it?

A Yes.

THE COURT: It goes on to say that, "Whoever commits the

crime of indecent behavior with juveniles shall be fined not more than \$5,000 or imprisoned with or without hard labor for not more than seven years or both. So, that you have plead guilty to three counts of that crime, which means that your possible exposure could be fines of up to \$15,000 or imprisonment of up to 21 years or both. Do you understand that?

A Yes.

THE COURT: And I understand further that there has been no assurances to you as to any sentences. The Court will receive your plea today and will defer sentence and order a pre-sentence investigation report and after the Court has received this report and considered all of the information in the report and any other relevant information which you may want to present to the Court, then your

sentencing will be scheduled and you will, at that time, be sentenced. Do you understand that?

A Yes, sir.

THE COURT: Now, you understand, again, that there are no promises by the Court to you that there will be any sentence other than what you may receive from the Court and that that could be anything from no time in jail up to 21 years including a possible fine of \$15,000. Do you understand that?

A Yes.

THE COURT: Have you been promised anything by anyone in order to get you to plead guilty?

A No.

THE COURT: Has anyone threatened you, or coerced you, or beat you, or done anything else to get you to plead guilty?

A No.

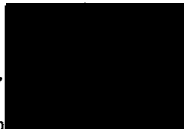
THE COURT: So, then I take it that you're doing this freely and voluntarily; is that correct?

A Yes.

THE COURT: All right. Now, there is a place on this form where the Court must be aware of the facts of a case and that has not been filled in. You can tell me what happened or the District Attorney can tell me what happened or your lawyer can tell me what happened, but I have to have some facts in order to enable me to determine whether or not I will accept your plea.

Have you all discussed --

MR. REEVES: Judge, the first case, the first count, to speed things up, you can tell the Court what happened there. That's count number one, you can tell the Judge what happened.

A Basically, what I was -- what the thing said, I was guilty of teaching him and masturbation 

in front of him and how to do it and all of this.

THE COURT: Did that happen here in this Parish?

A Yes.

THE COURT: What is the date on the bill, Mr. Clerk?

MR. CLERK: On or about January of 1986 and including July 25th, 1986.

THE COURT: Did that happen on or about that day?

A Yes.

THE COURT: Where did that happen?

A Where I live, in my residence.

THE COURT: In your residence. And how old is this child?

A Twelve.

THE COURT: And you are, of course, over 17?

A Right.

THE COURT: All right. What about the second offense?

MR. REEVES: On count number two, it mentions for the Record the name [REDACTED] Can you identify that young man to the

Judge and explain what happened
in that incidence?

A Basically, the same information except his
name is [REDACTED]

THE COURT: And that happened
where; at your home also?

A The same place.

THE COURT: What is the date of
that incident?

A Same time as the other one.

THE CLERK: Same dates, Your
Honor.

THE COURT: Same dates.

All right, and what is the
third count?

MR. REEVES: And count three is
under the name of [REDACTED] in
the Bill of Information.
Identify that person to the
Judge and tell the Judge, and
tell what happened there?

A Same information, his name is [REDACTED]

THE COURT: And that happened
at your home, also?

A My place.

THE COURT: And at the same
time?

A During the same time.

THE COURT: All of this didn't happen on the same day; is that correct?

A No, no.

THE COURT: This didn't happen in the presence of these children together; is that correct?

A No, sir.

THE COURT: Now, what was the age of the second child?

A Fourteen

THE COURT: And the last one?

A Sixteen. Well, he was 15 at the time.

THE COURT: Is there anything else that you want to tell me about any of these counts?

A No.

THE COURT: Is there any facts that the State wants to --

MR. REEVES: No, Judge.

THE COURT: Mr. Reynaud?

MR. REYNAUD: No, Your Honor.

THE COURT: All right, I'll simply make a notation on this form to refer to the transcript which is being taken by the Court Reporter for the facts of

the case.

THE COURT: All right, the Court is convinced that the Defendant has been fully advised of all his constitutional rights and that he understands the nature of the charges against him; the possible penalties which may be imposed; that his pleas are freely and voluntarily entered; that there are factual basis for the pleas and that this defendant is, in fact, guilty of the crimes charged.

I now ask you to acknowledge that you have read the above and certify that the answers are true and correct?

Mr. Reynaud, will you go over that with him?

All right, have you examined this form, Mr. Oubre?

A Yes, I have.

THE COURT: And are the answers true and correct?

A Yes.

THE COURT: And is that your

signature?

A Yes, it is.

THE COURT: All right. The Court will accept your plea of guilty and defer sentence in this matter and order a pre-sentence investigation report and we will schedule your sentencing at a later date.

MR. REYNAUD: Judge, I would like to ask that he be released on the same bond.

THE COURT: What is his present bond?

MR. REYNAUD: It's fifty thousand dollars.

THE COURT: A property bond?

MR. REYNAUD: Yes.

THE COURT: You still live in this Parish?

A Yes.

THE COURT: All right, I will set your post-conviction bond at the same amount. I will require that you post another bond and I will give you 24 hours in which to do that. Okay?

Anything further?

THE COURT: All right.

The Court stand ajourned.

(AT THIS TIME THESE MATTERS WILL BE CONCLUDED)

C E R T I F I C A T E

I, KAREN GASPARD, COURT REPORTER IN AND FOR THE
23RD JUDICIAL DISTRICT, PARISHES OF ASCENSION,
ASSUMPTION AND ST. JAMES, DO HEREBY CERTIFY THAT
THE FOREGOING PAGES OF TRANSCRIPT ARE A TRUE AND
CORRECT COPY OF THE PROCEEDINGS HAD IN THE
AFOREMENTIONED MATTER, TRANSCRIBED UNDER MY
DIRECTION AND SUPERVISION, TO THE BEST OF MY
KNOWLEDGE AND ABILITY.

 7-7-87
KAREN GASPARD

GONZALES, LOUISIANA

THE TWENTY-THIRD JUDICIAL DISTRICT COURT
FOR THE PARISHES OF ASCENSION, ASSUMPTION,
ST. JAMES AND THE PARISH COURT FOR THE
PARISH OF ASCENSION

STATE OF LOUISIANA

STATE OF LOUISIANA

VERSUS

855

Kenneth M. Oubre

Gramercy, LA 70052

Filed Dec 9 1986

Edward E. Fink
Clerk

BILL OF INFORMATION

Three (3) counts of Indecent Behavior
with Juveniles

(Offense)(s)

Surety: _____
Address: _____
Agency File No. _____
DA No. _____

DONALD T. CARMOUCHE, DISTRICT ATTORNEY for the Twenty-Third Judicial District, Parishes of Ascension,
Assumption and St. James, State of Louisiana, charges that Kenneth M. Oubre

on or about the January 1986, then and including day of July 25, 1986, 19

committed the offense(s) of three (3) counts of Indecent Behavior with Juveniles

violating Louisiana Revised Statutes 14:81, in that

Count 1: He did commit a lewd or lascivious act upon the person or in the presence of
a child under age 17, there being an age difference of greater than 2 years between the
persons, and the defendant being over age 17, by masturbating in the presence of [REDACTED]

Count 2: He did commit a lewd or lascivious act in the presence of a child under age 17,
there being an age difference of greater than 2 years between the persons, and the defendant
being over age 17, by masturbating in the presence of [REDACTED]

Count 3: He did commit a lewd or lascivious act in the presence of a child under age 17, there
being an age difference of greater than 2 years between the persons, and the defendant being over
age 17, by masturbating in the presence of [REDACTED]

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING
FACTS SET FORTH IN THIS BILL ARE THE FINDINGS OF
THE DISTRICT ATTORNEY
AND THAT THEY WERE PLACED THEREON BY SAID DEFENDANT
THIS DAY OF _____ 1986

contrary to the law of the State of Louisiana and against the peace and dignity of the same.

12/9/86
Present w/ Raymond
arraigned Guilty
Boyzinization

DONALD T. CARMOUCHE, DISTRICT ATTORNEY

By: *Johnnie O'Brien*
Assistant District Attorney
Twenty-Third Judicial District of Louisiana

I hereby certify that the above and fore-
going is a true and correct copy of the
original on file and record in my office.
Mary Marse
City Clerk of Court & Ex-Officio Recorder
Parish of St. James, Convent, La.

ORIGINAL

Court met this day, Tuesday, December 9, 1986 at 9:00 A.M.

PRESENT: Hon. A. J. Kling, Jr., Judge, Section "D", Presiding
 Hon. Randolph Irvin, Deputy Sheriff-Bailiff
 Hon. Anthony J. Nobile, Assistant District Attorney
 Hon. Jude C. Gravois, Assistant District Attorney
 Hon. Abbott Reeves, Assistant District Attorney
 Hon. Edmond E. Kinler, Jr., Clerk of Court
 Hon. Adele M. Powers, Deputy Clerk of Court
 Hon. Karen Loupe-Gaspard, Court Reporter

#855-F - State Vs. Kenneth M. Oubre (Three (3) counts of Indecent Behavior with Juveniles). The accused was present in open Court with his attorney, Wilbur Woods Reynaud, was arraigned and entered a plea of Guilty to Three (3) counts of Indecent Behavior with Juveniles. Before accepting his plea, the Court advised the accused of his rights as follows:

The defendant, being personally present in court with his retained counsel, Wilbur Reynaud, was duly arraigned on the charge of R.S. 14:81, 3 counts and entered a plea of guilty.

BY THE COURT:

Before accepting your plea it is my duty to ascertain if you have been fully advised of all of your constitutional rights, and to further ascertain whether your plea is freely, voluntarily and knowingly entered.

- Q. What is your name?
- A. Kenneth M. Oubre.
- Q. How old are you?
- A. 32.
- Q. Has your counsel advised you of your rights?
- A. Yes.
- Q. Do you understand that under our law you are presumed to be innocent until proven guilty beyond a reasonable doubt, and that the burden is not upon you to prove your innocence but rather is upon the District Attorney to prove your guilt?
- A. Yes.
- Q. Do you understand that you have the right to trial by jury?
- A. Yes.
- Q. Do you understand that you have the right to counsel, and that if you cannot afford to employ one, the court will appoint one to represent you?
- A. Yes.
- Q. Do you understand that you have the right to be confronted by the witnesses against you, that is, the District Attorney must produce them in open court where you can see them and where they can be cross-examined by your counsel?
- A. Yes.
- Q. Do you understand that you have the privilege against self-incrimination, that is, you do not have to take the stand and testify and that no one can force you to do so?
- A. Yes.
- Q. Do you understand that in the event of a conviction you would have the right to appeal?
- A. Yes.
- Q. You are charged with a very serious crime, that of three counts of Indecent Behavior with Juveniles, R.S. 14:81. The elements of this crime are commission by anyone over age of 17 of a lewd or lascivious act upon the person or in the presence of any child under the age of 17, where there is an age difference of greater than 2 years, with the intention of arousing or gratifying the sexual desires of either person. The maximum sentence the Court could impose would be 7 years at hard labor and/or fined not more than \$5,000 or both. Your counsel and the District Attorney have conducted plea bargaining relative to your case and have agreed upon a sentence of N/A years at hard labor. Do you still wish to plead guilty?
- A. Yes.
- Q. Have you been promised anything by anyone in order to get you to plead guilty?
- A. No.
- Q. Has anyone threatened, coerced, beat you or done anything else to persuade you to plead guilty?
- A. No.
- Q. The District Attorney will now tell me the facts of your case, he will tell me what you did, who was involved, where and so on. I want you to listen carefully while I write down what he states. I now read to you what I have written, which is as follows: See Transcript for facts. Do you agree with these facts, as stated by the District Attorney, and written down by me?
- A. Yes.

The court is convinced that the defendant has been fully advised of all of his constitutional rights, that he understands the nature of the charges against him, that he understands the possible penalty to be imposed, that his pleas are freely and voluntarily entered and that there are factual basis for the pleas and that the defendant is in fact guilty of the crimes charged.

I now ask you to acknowledge that you have read the above and certify that the answers are true and correct by signing your name hereto on this 9th day of December, 1986.

s/ Kenneth M. Oubre
 Signature of Defendant
 s/ Wilbur Woods Reynaud
 Attorney for Defendant

I now ask your retained attorney to acknowledge that he was present during my questioning you in open court prior to your plea being accepted and to acknowledge to me that he also informed you of your rights prior to this time as well as the consequence to you on your plea of guilty and that he is satisfied that your plea of guilty is a voluntary act on your part.

The Court accepts your plea of guilty.
 Sentence deferred - Order a Pre-Sentence Investigation Report.
 Convent, Louisiana, this 9th day of December, 1986.

s/ A. J. Kling, Jr.
 JUDGE

The Court fixed the post conviction bond at \$50,000.00 and gave the accused 24 hours to post the bond.

I, Mary Ann Marse, Deputy Clerk of Court, in and for the Parish of St. James, State of Louisiana, do hereby certify that the above and foregoing is a true and correct extract of the Minutes of Court of December 9, 1986 as the same appears in Minute Book 19-D at folio 284 of the Minutes of St. James Parish, Louisiana.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the seal of my office, this 7th day of July, 1987.

Mary Ann Marse
 Deputy Clerk of Court
 St. James Parish, State of Louisiana

STATE OF LOUISIANA

VERSUS 755

KENNETH M Oubre

Filed: Dec. 9, 1986

STATE OF LOUISIANA

PARISH OF St. James

23RD JUDICIAL DISTRICT COURT

Ed. R. J. J. J. J.
Clk of Court

The defendant, being personally present in court with his retained counsel, WILBUR REYNAUD, was duly arraigned on the charge of R.S.M.B. 3 COUNTS and entered a plea of guilty.

BY THE COURT:

Before accepting your plea it is my duty to ascertain if you have been fully advised of all of your constitutional rights, and to further ascertain whether your plea is freely, voluntarily and knowingly entered.

Q. What is your name?

A. KENNETH M OUBRE

Q. How old are you?

A. 32

Q. Has your counsel advised you of your rights?

A. YES

Q. Do you understand that under our law you are presumed to be innocent until proven guilty beyond a reasonable doubt, and that the burden is not upon you to prove your innocence but rather is upon the District Attorney to prove your guilt?

A. YES

Q. Do you understand that you have the right to trial by jury?

A. YES

Q. Do you understand that you have the right to counsel, and that if you cannot afford to employ one, the court will appoint one to represent you?

A. YES

Q. Do you understand that you have the right to be confronted by the witnesses against you, that is, the District Attorney must produce them in open court where you can see them and

where they can be cross-examined by your counsel?

A. YES

Q. Do you understand that you have the privilege against self-incrimination, that is, you do not have to take the stand and testify and that no one can force you to do so?

A. YES

Q. Do you understand that in the event of a conviction you would have the right to appeal?

A. YES

Q. You are charged with a very serious crime, that of three counts of
Inducement Belated with juveniles, R.S. 14:81

The elements of this crime are Commission by anyone over age 17 of a lewd or lascivious act upon the person of a child under the age of 17, where there is an age difference of greater than 2 years, with the intention of arousing or satisfying the sexual desires of either person.
The maximum sentence the court could impose would be 7 years at hard labor and/or not more than \$5,000 in both.

Your counsel and the District Attorney have conducted plea bargaining relative to your case and have agreed upon a sentence of 1/4 years at hard labor. Do you still wish to plead guilty?

A. YES

Q. Have you been promised anything by anyone in order to get you to plead guilty?

A. NO

Q. Has anyone threatened, coerced, beat you or done anything else to persuade you to plead guilty?

A. NO

Q. The District Attorney will now tell me the facts of your case, he will tell me what you did, who was involved, where and so on. I want you to listen carefully while I write down what he states. I now read to you what I have written, which is as follows:

See transcripts for facts

Do you agree with these facts, as stated by the District Attorney, and written down by me?

A. i/pc

The court is convinced that the defendant has been fully advised of all of his constitutional rights, that he understands the nature of the charges against him, that he understands the ^{possible} penalty to be imposed, that his plea ^{is} freely and voluntarily entered and that there ^{is} a factual basis for the plea and that the defendant is in fact guilty of the crime^s charged.

I now ask you to acknowledge that you have read the above and certify that the answers are true and correct by signing your name hereto on this 9th day of December , 19 4 .

 [Signature]
Signature of Defendant

I now ask your retained attorney to acknowledge that he was present during my questioning of you in open court prior to your plea being accepted and to acknowledge to me that he also informed you of your rights prior to this time as well as the consequence to you on your plea of guilty and that he is satisfied that your plea of guilty is a voluntary act on your part.

 [Signature]
Attorney for Defendant

The court accepts your plea of guilty, and the plea bargain and states for the record that because there is undue risk that during the period of a suspended sentence or probation, the defendant would commit another crime;

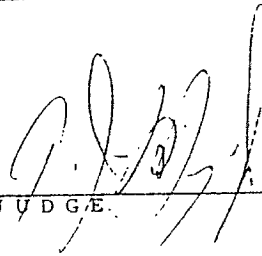
*Sentence defendant - Order a
Pre-Sentence Investigation
Report.*

That defendant is in need of correctional treatment or a
custodial environment that can be provided most effectively by
his commitment to an institution and;

That a lesser sentence would deprecate the seriousness
of defendant's crime.

IT IS THE SENTENCE of this court that the defendant be
committed to the Department of Corrections for a term of
_____ years, with credit for time served.

Convent Louisiana this 9th day of
December, 1986.



J U D G E.

I hereby certify that the above and fore-
going is a true and correct copy of the
original on file and record in my office.

Marcia Ann M. Wallace
Dty. Clerk of Court & Ex-Officio Recorder
Parish of St. James, Convent, La.

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING
FINGERPRINTS ON THIS BILL ARE THE FINGERPRINTS OF
THE DEFENDANT, Kenneth M. Oubre
THAT THEY WERE PLACED THEREON BY SAID DEFENDANT
THIS 9th DAY OF December, 1986.

Donna H. Breaux

Deputy Sheriff
Parish of St. James