



METROPOLITAN CRIME COMMISSION, INC.

1615 Poydras Street • Suite 1060 • New Orleans, LA 70112

Phone: (504) 524-3148 • Fax: (504) 566-0658

www.metrocrime.org

May 20, 2015

James "Buddy" Caldwell
Louisiana Attorney General
P.O. Box 94005
Baton Rouge, LA 70804

Re: Joel T. Chaisson, II
St. Charles Parish District Attorney

Dear Mr. Caldwell:

The Metropolitan Crime Commission (MCC) respectfully requests that the office of the Louisiana Attorney General investigate to determine if the prosecutorial decisions made by St. Charles Parish District Attorney Joel Chaisson, II in the State v. Shelley Dufresne prosecution rise to the level of criminal malfeasance.

The defendant is the daughter of a sitting jurist in the 29th Judicial District Court. The entire bench of the 29th Judicial District Court recused themselves in this matter to avoid any appearance of impropriety. The same legal principals would support the recusal of the St. Charles Parish District Attorney's Office that routinely prosecutes matters in the court of the defendant's father. However, the D.A. elected not to seek recusal in this matter.

Ms. Dufresne initially faced a charge of carnal knowledge of a juvenile which carried up to a ten year prison term. Court records and news articles confirm that the accused pled guilty to a felony obscenity offense (R.S. 14:106 (A)(5)) in open court on April 9, 2015. Ms. Dufresne's felony conviction was touted by D.A. Chaisson in the media that day. However, on April 10, 2015, she was allowed to plead guilty to a misdemeanor obscenity offense (R.S. 14:106 (A)(7)(a)) that no longer resembled the stipulated factual basis to which Ms. Dufresne publicly admitted during her April 9th court appearance. Even though Ms. Dufresne admitted in open court that she had sex with a student of Destrehan High School where she was a teacher, court records will only reflect that she pled guilty to transmission of an advertisement containing sexually explicit material. This misdemeanor obscenity charge is punishable by a maximum fine of \$500, does not require registration as a sex offender, and does not impose the possibility of any jail time. Furthermore, since the offense to which Ms. Dufresne pled guilty is a misdemeanor, her probation cannot be supervised by a state probation officer.

The April 10th court proceedings that resulted in the defendant pleading guilty to an amended misdemeanor charge did not procedurally conform to Louisiana law. Louisiana jurisprudence and Code of Criminal Procedure provides that once a defendant has been sentenced by the court, the district attorney can no longer make substantive amendments to the bill of information. The D.A. failed to adhere to Louisiana law by amending the bill of

information on April 10, 2015 to charge the defendant with a misdemeanor obscenity offense. If the defendant desired to set aside her April 9th felony plea on the grounds that it was induced by promises that the district attorney was unable to fulfill, then Ms. Dufresne's attorney should have filed a motion for post-conviction relief. Court records reflect that the April 10th proceedings for post sentencing relief were initiated on motion of the state rather than the defendant's attorney.

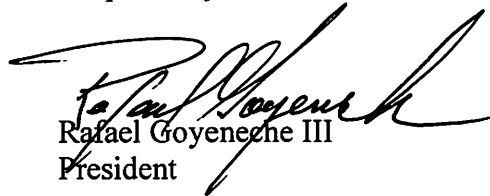
The actions and omissions of D.A. Joel Chaisson, who was present during both guilty pleas, creates the appearance that preferential treatment and political considerations took precedence over the law. Ms. Dufresne's April 10th misdemeanor guilty plea occurred during a court session that was shrouded from the public in judicial chambers, which infers an intent by D.A. Chaisson to conceal these proceedings from the public.

The manner in which this case was mishandled and resolved by the St. Charles Parish District Attorney's Office requires an investigation by an impartial, external agency to ascertain if any criminal violations have been committed.

The MCC has enclosed the court records for Ms. Dufresne's initial guilty plea on April 9, 2015 and her subsequent plea to the amended misdemeanor offense on April 10, 2015, as well as relevant news stories related to the case.

Thank you for giving this request your most serious consideration. I look forward to receiving your response. If you have any questions, I can be reached at 504-524-3148.

Respectfully,



Rafael Goyeneche III
President

CC District Attorney Joel Chaisson II