

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA,	*	Criminal Action
	*	No. 11-299
Plaintiff,	*	
	*	Section "HH"
v.	*	
	*	New Orleans, Louisiana
AARON BROUSSARD, ET AL,	*	January 17, 2012
	*	
Defendants.	*	
* * * * *	*	

INITIAL APPEARANCE, ARRAIGNMENT, AND RE-ARRAIGNMENT,
BEFORE THE HONORABLE HAYDEN HEAD,
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government:	United States Attorney's Office
	By: BRIAN KLEBBA, ESQ.
	By: MATTHEW CHESTER, ESQ.
	650 Poydras Street, Suite 1600
	New Orleans, Louisiana 70130

For Defendant Karen Parker:	Courcelle & Burkhalter, LLC
	By: DAVID ICHIRO COURCELLE, ESQ.
	3500 N. Causeway Blvd., Suite 185
	Metairie, Louisiana 70002

Court Audio Operator:	Rebecca S. Gonzalez
-----------------------	---------------------

Transcriptionist:	Ann B. Schleismann
	c/o U.S. District Court
	500 Poydras Street, Room C151
	New Orleans, Louisiana 70130
	(504) 589-7721

Proceedings recorded by electronic sound recording,
transcript produced by transcription service.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

(Tuesday, January 17, 2012)

THE COURT: Won't you please be seated?

Well, my name is Hayden Head. I'm a United States District Judge from Southern Texas, and have been one since 1981. Who are you?

MR. KLEBBA: Your Honor, my name is Brian Klebba. I'm the lead prosecutor on behalf of the United States. Also with me is Matt Chester, also an Assistant U.S. Attorney, and Laura Monte, special agent, case agent from the FBI in this matter.

THE COURT: Okay.

MR. COURCELLE: May it please the Court, Your Honor, I'm David Courcelle. I represent Ms. Karen Parker --

THE COURT: Good morning.

MR. COURCELLE: -- and she's listed as Karen Parker Broussard.

THE COURT: Good morning.

MR. COURCELLE: Good morning.

THE COURT: And we have some work to do this morning. What I had wanted to do when I set this hearing -- please be seated. What I wanted to do when I set the hearing several weeks ago for this afternoon was to just sort of get an understanding of this case. I think you folks have been dealing with it for some time, but it was new to me and I

1 wanted to come to New Orleans and to learn about the case, set
2 it for trial, make certain everything is going smoothly with
3 respect to discovery, learn what issues you had and that we
4 might to consider before trial. And then Friday, sometime
5 Friday morning or afternoon I received word that there was
6 going to be a criminal information, in fact the criminal
7 information was received by the Clerk's Office and forwarded to
8 me together with notice that the Defendant wanted to enter a
9 plea of guilty to that criminal information with respect to
10 misprision.

11 Is that still the desire of the parties this morning?

12 MR. KLEBBA: It is, Your Honor.

13 MR. COURCELLE: Yes, Your Honor.

14 THE COURT: All right. I suppose we then can proceed
15 with that. My custom when I am in Southern Texas is the
16 Southern Texas customs that I've grown accustomed to. But I
17 don't want to impose those on you with respect to formalities
18 because that just makes everybody awkward.

19 I think what we need to do this morning is to have an
20 initial appearance on the criminal information. I think what
21 we need to do also is I'm told that the Defendant wants to
22 enter a plea of guilty and we'll therefore have to arraign her.
23 We'll have to have a waiver of indictment this morning.

24 So, I would suggest the first thing we do is we swear
25 Ms. Parker, we place her under oath.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

* * * * *

KAREN PARKER, DEFENDANT, SWORN

* * * * *

THE CLERK: Please state your name for the record.

DEFENDANT PARKER: Karen Ann Parker.

THE COURT: Ms. Parker, have you received a copy of the criminal information that's been filed in this case?

DEFENDANT PARKER: Yes, Your Honor, I have.

THE COURT: And have you read it and discussed it with your attorney?

DEFENDANT PARKER: Yes, Your Honor.

THE COURT: I'm going to ask you a few questions at this point that constitutes what's known as an initial appearance. In fact you have been --

MR. KLEBBA: Do you want her to come here, Your Honor?

THE COURT: That would be fine.

MR. KLEBBA: Come on over, Ms. Parker.

THE COURT: Frankly, I was going to suggest that everybody remain seated.

MR. KLEBBA: Okay.

THE COURT: Why don't we do that? That's not my custom except when I think we have a lot of questions --

MR. KLEBBA: Yes, Your Honor.

THE COURT: -- and a lot of proceedings and I don't

1 see any reason why everybody can't remain seated. But we have
2 an initial appearance, and we have a waiver of indictment, and
3 if your client wants to continue with her plea of guilty, well
4 we can do that.

5 Where is the criminal information at this time? Has
6 it ever actually been filed?

7 MR. KLEBBA: Yes, Your Honor, it was filed on
8 Thursday evening, January 12th. I have a stamped copy if I
9 could present that to the Court?

10 THE COURT: All right, that will be fine, if you'll
11 let me mark on it.

12 MR. KLEBBA: Certainly, Your Honor.

13 THE COURT: You have received a copy of this criminal
14 information?

15 DEFENDANT PARKER: Yes, Your Honor.

16 THE COURT: You discussed it with your attorney?

17 DEFENDANT PARKER: Yes, Your Honor.

18 THE COURT: And you've been discussing this case with
19 your attorney for some time, is that correct?

20 DEFENDANT PARKER: Yes, Your Honor.

21 THE COURT: Do you understand this criminal
22 information?

23 DEFENDANT PARKER: Yes, Your Honor, I do.

24 THE COURT: And as I said earlier or asked earlier,
25 you've been through an initial appearance when you were first

1 advised of the charges against you after you were indicted, is
2 that correct?

3 DEFENDANT PARKER: Yes, Your Honor.

4 THE COURT: Today you were brought here by summons as
5 I understand it, is that correct?

6 DEFENDANT PARKER: Yes, Your Honor.

7 THE COURT: This charge is similar to but different
8 than the indictment that has already been brought against you.
9 This particular information is one in which you were and have
10 been accused by the United States' Attorney's Office of a
11 violation of Title 18 Section 4, Misprision of a Felony. You
12 told me that you received a copy of the criminal information
13 and that you have discussed it with your attorney. Is your
14 attorney retained or appointed?

15 DEFENDANT PARKER: Retained.

16 THE COURT: You understand that you have the right to
17 obtain appointed counsel if you need appointed counsel?

18 DEFENDANT PARKER: Yes, Your Honor, I do.

19 THE COURT: And if you need appointed counsel I'd
20 like you to tell me at this time so that we can get that taken
21 care of. Do you need appointed counsel?

22 DEFENDANT PARKER: No. I'm comfortable with mine.
23 Thank you.

24 THE COURT: And you are already on bond as I
25 understand it?

1 DEFENDANT PARKER: Yes, Your Honor, I am.

2 THE COURT: And I don't think the Government seeks
3 any change in that status; is that correct?

4 MR. KLEBBA: That's correct.

5 THE COURT: So, I don't intend to change anything by
6 virtue of this proceeding. Even if you entered a plea of
7 guilty to it, I think the conditions of bond would likely
8 remain the same. So, certainly by virtue of this initial
9 appearance there wouldn't be any change in your bond
10 circumstances. Obviously, you have the right to pretrial
11 release and you have it and that does not intend to be changed.

12 You have the right here today not to make any
13 statement. Any statement that you make today with respect to
14 this initial appearance can be used against you. And I'm going
15 to conclude that you have a right to a preliminary hearing
16 since you have not been indicted on this misprision of a felony
17 and that preliminary hearing would be available to you in which
18 the Government would have to present evidence to the
19 sufficiency of the charge to establish by probable cause that
20 you had committed the crimes charged. Do you understand?

21 DEFENDANT PARKER: Yes, sir.

22 THE COURT: And do you seek any such preliminary
23 hearing?

24 MR. COURCELLE: We would waive it, Your Honor.

25 THE COURT: All right. And have you discussed with

1 your attorney whether or not you want such a hearing?

2 DEFENDANT PARKER: Yes, Your Honor. We're going to
3 waive it.

4 THE COURT: All right. Now, I think we're going to
5 do a lot today. We're going to first have the initial
6 appearance. An initial appearance after you've had already one
7 initial appearance does not have to be quite as long as the
8 others, but I want to make certain that you understand some
9 rights and we're going to have to go back into those rights
10 later. I've already told you that you have the right to remain
11 silent and that you have a right to counsel. Anything you say
12 in this courtroom with respect to these charges can be used
13 against you. You have the right to counsel. You already have
14 an attorney, but if you needed an attorney we would appoint
15 someone to represent you. You have the right to a preliminary
16 hearing which we've already discussed that about. And I don't
17 guess you had a preliminary hearing with respect to the
18 indicted charges. You just had the indictment.

19 MR. COURCELLE: That is correct, Your Honor.

20 THE COURT: And you waived your preliminary hearing.
21 On these charges, and we might as well get into this
22 now, you have the right to be indicted. You have not been
23 indicted.

24 May I ask how old you are?

25 DEFENDANT PARKER: I'm 46.

1 THE COURT: And where did you go to school?

2 DEFENDANT PARKER: I went to Ursuline Academy, and
3 then to Northeastern in Monroe, UNO, and Delgado.

4 THE COURT: Okay. So, not being familiar with the
5 region, you told me you went to high school and some college?

6 DEFENDANT PARKER: Yes, sir.

7 THE COURT: Did you graduate from college?

8 DEFENDANT PARKER: No, Your Honor, I didn't.

9 THE COURT: Okay. Are you in good health?

10 DEFENDANT PARKER: Yes, sir.

11 THE COURT: Okay. Have you ever been treated by a
12 doctor or admitted to a hospital for treatment of a mental
13 disease or a mental disorder?

14 DEFENDANT PARKER: Yes, I have.

15 THE COURT: Okay, is that recent or at some time in
16 the past?

17 DEFENDANT PARKER: In the past.

18 THE COURT: And have you gone through that with the
19 preceding Magistrate or Judge in this case?

20 DEFENDANT PARKER: Yes, I have.

21 THE COURT: Okay. Are you presently taking any
22 medications?

23 DEFENDANT PARKER: It was addressed. Yes, sir.

24 THE COURT: Okay, and do those medications help you?

25 DEFENDANT PARKER: Yes, sir.

1 THE COURT: Okay, what are the names of those
2 medications?

3 DEFENDANT PARKER: I take a Xanax in the evening, and
4 Lunesta, and I'm on Armour Thyroid.

5 THE COURT: You're on what?

6 DEFENDANT PARKER: Armour Thyroid for my thyroid.

7 THE COURT: And does that help?

8 DEFENDANT PARKER: Yes.

9 THE COURT: Why are you taking thyroid medicine, if I
10 might ask?

11 DEFENDANT PARKER: I had a tumor on one of my
12 parathyroids that was removed.

13 THE COURT: Counsel, is your client competent?

14 MR. COURCELLE: She is, Your Honor.

15 THE COURT: I find her to be so.

16 Are you familiar with this charge? Did your
17 attorney --

18 DEFENDANT PARKER: Yes.

19 THE COURT: -- discuss this matter with you?

20 DEFENDANT PARKER: Yes, Your Honor, he has.

21 THE COURT: This is a fairly complex charge involving
22 three criminal statutes as I understand it. And my
23 understanding may be imperfect, but I think it's important that
24 you and I understand them together, because I want to talk to
25 you about what the Government must prove in this case, and then

1 I want to talk to you about the possible consequences of
2 proceeding without being indicted, and I want to talk to you
3 about what an indictment is.

4 You haven't had any of those types of conversations
5 except perhaps with your attorney. Have you and your attorney
6 discussed the waiver of indictment?

7 DEFENDANT PARKER: Yes, Your Honor.

8 THE COURT: You are accused in this superseding
9 indictment of a misprision of a felony which makes it a crime
10 for anyone who has knowledge that a felony crime has been
11 committed to take certain steps to conceal that crime and to
12 fail to report that crime to the appropriate authorities
13 including a United States District Judge or other persons in
14 military or civil authority. Do you understand that?

15 DEFENDANT PARKER: Yes, Your Honor, I do.

16 THE COURT: And have you and your attorney had a
17 thorough discussion of what misprision of a felony is?

18 DEFENDANT PARKER: Yes, Your Honor.

19 THE COURT: Well, it's found at Title 18, Section 4
20 and it requires the Government to prove to a jury beyond a
21 reasonable doubt before you can be committed that first of all
22 you were aware that a felony crime has been committed, actually
23 been committed. The Government would also have to prove to a
24 jury that you concealed that crime and did not report it as
25 soon as possible to some Judge or other person in civil

1 authority that a crime had been committed and that you were
2 aware of it. It's not just a matter of failing to disclose.
3 That's not enough to complete the crime. The Government must
4 also prove that you were aware that a crime has been committed,
5 that you knew that a crime had been committed, and not only did
6 you fail to report it, but that you took some affirmative step
7 to close or to cover up, to conceal the commission of the
8 crime. Do you understand?

9 DEFENDANT PARKER: Yes, Your Honor.

10 THE COURT: And when your attorney talked to you
11 about that matter and explained it to you and as I explained it
12 to you today, do you think you understand it?

13 DEFENDANT PARKER: Yes, Your Honor.

14 THE COURT: It's frequently thought of by persons
15 that it's not disclosing. Well, it's not against the law not
16 to disclose. You can walk down the street and see a crime
17 committed and go about your business. But if you take a step
18 to cover it up knowing that a crime has been committed, then
19 that's when this crime becomes perfected. Do you understand
20 that?

21 DEFENDANT PARKER: Yes, Your Honor.

22 THE COURT: The maximum possible punishment is a
23 period of three years in a penitentiary. There's a maximum
24 \$250,000 fine and a mandatory \$100 special assessment,
25 supervision term of probably two years --

1 We have a Probation Officer here?

2 MR. KLEBBA: It's one year, Your Honor.

3 THE COURT: One-year supervision with a one-year
4 period of revocation --

5 MR. KLEBBA: Yes, Your Honor.

6 THE COURT: -- so that if you violate the terms and
7 conditions of your supervision while you are on supervision,
8 you can be returned to the penitentiary to serve a sentence of
9 up to one-year.

10 Now, the Court will take into consideration at
11 sentencing the Advisory Guidelines of the United States
12 Sentencing Commission, the departures from them, as well as the
13 rest of the sentencing factors of Title 8, Section 3553. Have
14 you discussed those matters of the Advisory Guidelines with
15 your attorney?

16 DEFENDANT PARKER: Yes, Your Honor, I have.

17 THE COURT: And the guidelines are important, but
18 they are one factor. They are not binding on the Court, but
19 they are an important part of your sentence in this case. Do
20 you understand that?

21 DEFENDANT PARKER: Yes, sir.

22 THE COURT: And what your attorney calculates the
23 guidelines to be are his professional opinion, but they may be
24 different than mine. Do you understand?

25 DEFENDANT PARKER: Yes, Your Honor.

1 THE COURT: Which may be in your favor or not in your
2 favor, depending on what that calculation is.

3 Before you can be prosecuted for this crime you have
4 the right to be indicted by a grand jury. You have not been
5 indicted by a grand jury. And if this matter were taken to a
6 grand jury neither you nor I know what the grand jury would do.
7 We can't speak for the grand jury. But if you waive and give
8 up your right to be indicted, you can be prosecuted just as if
9 you had been indicted. So that although you have the right to
10 be indicted, you also may give up your right to be indicted.

11 An indictment is an important right. It exists
12 within the United States Constitution and it is frankly one of
13 the oldest rights that we have. It prohibits the prosecution
14 authorities from coming to court and obtaining the ability to
15 prosecute a citizen or non-citizen in the courts of the
16 United States without first receiving the permission of the
17 grand jury to prosecute based on a finding that there has been
18 probable cause that a crime has been committed and the
19 defendant under consideration has committed that crime. Do you
20 understand that?

21 DEFENDANT PARKER: Yes, Your Honor.

22 THE COURT: Has anybody forced you to give up your
23 right to be indicted?

24 DEFENDANT PARKER: No, Your Honor.

25 THE COURT: Anybody promised you or threatened you to

1 give up your right to be indicted?

2 DEFENDANT PARKER: No, Your Honor.

3 THE COURT: A grand jury is composed of 23 persons,
4 12 of whom must vote to pass a true bill from the grand jury
5 before you could be indicted. As I said, neither you nor I
6 know how the grand jury would rule, but if you waive your right
7 to be indicted, then you can in fact be prosecuted. Do you
8 understand that?

9 DEFENDANT PARKER: Yes, Your Honor.

10 THE COURT: And did you and your attorney spend time
11 together discussing whether or not you wanted to give up your
12 right to be indicted?

13 DEFENDANT PARKER: Yes, Your Honor.

14 THE COURT: And do you feel that's in your best
15 interest to give up your right to be indicted?

16 DEFENDANT PARKER: Yes, Your Honor.

17 THE COURT: As a matter of fact, I see on the Clerk's
18 bench what I think may be a Waiver of Indictment and it says to
19 me "I understand that I have been accused of one or more
20 offenses punishable by imprisonment for more than one year.
21 I've been advised in open court my rights and the nature of the
22 proposed charges against me and after receiving this advice I
23 waive my right to prosecution by indictment and consent to
24 prosecution by information." Do you understand?

25 DEFENDANT PARKER: Yes, Your Honor.

1 THE COURT: And one other thing, is this your
2 signature?

3 DEFENDANT PARKER: Yes, Your Honor.

4 THE COURT: And this is your attorney's signature?

5 DEFENDANT PARKER: Yes, sir.

6 MR. COURCELLE: That's correct, Your Honor.

7 THE COURT: Okay. Now, the crime that you are
8 accused of failing to disclose and in fact concealing is an
9 alleged violation of Title 18, Section 666(a)(1)(A) and that's
10 found at Page 6 of this proposed information. It alleges, and
11 I see here there's no reference to Title 18, Section 371 here
12 in the misprision, but the words of conspiracy are there on
13 about the fifth line and the fourth line where it says that
14 Ms. Parker was aware of the conspiracy.

15 MR. KLEBBA: That's correct, Your Honor.

16 THE COURT: Okay. So, you're asking her did she --
17 you wanted to bring the charge to the Court that her misprision
18 was the failure to disclose and in fact conceal the conspiracy
19 to commit 666, not just the commission of 666, is that correct?

20 MR. KLEBBA: That's correct, Your Honor.

21 THE COURT: Okay, all right. And so we want to talk
22 about another statute, the conspiracy statute. Have you talked
23 about anybody with the conspiracy statute before?

24 DEFENDANT PARKER: Yes.

25 THE COURT: As a matter of fact the conspiracy

1 statute is charged against you in the original indictment in
2 this case, is that correct?

3 DEFENDANT PARKER: Correct, Your Honor.

4 THE COURT: And it's a conspiracy to commit 666 and
5 this information here is the misprision as it relates to the
6 conspiracy in 666. The failure to disclose the conspiracy that
7 you're charged with and the concealment of the conspiracy that
8 you're charged with violates 666.

9 Title 18 of the United States Code 666(a)(1)(A) makes
10 it a crime for anyone to embezzle, steal, obtain by fraud
11 property valued more than \$5,000 of an agency that has received
12 more than \$10,000 from the United States within a year. That's
13 what 666 is, it's the theft of money from an agency that has
14 received money from the United States in an amount greater than
15 \$5,000 with another limitation of \$10,000 received by an agency
16 in one year. And if proven to be true it has in itself a
17 penalty of up to ten years I believe.

18 The conspiracy statute that's charged in your
19 original indictment accuses you of conspiring with other
20 persons and making an unlawful criminal agreement with other
21 persons to knowingly and intentionally violate that statute,
22 that is to say a partnership in crime with the object of that
23 partnership being the theft of the funds of the agency,
24 specifically Jefferson Parish. And the Government in such a
25 case would have to prove that you were such a conspiracy, that

1 you made yourself a part of it, that you joined it freely and
2 voluntarily specifically with the intent to violate the law by
3 stealing money, by embezzling money from Jefferson County. Do
4 you understand?

5 DEFENDANT PARKER: Yes, Your Honor.

6 THE COURT: Now, let's take it one step further,
7 let's get to the day, the misprision. The two statutes that I
8 just talked to you about, the conspiracy statute of Title 18,
9 Section 371, and Title 18, 666 remain in this misprision charge
10 but only because they are the object of the crime that you are
11 accused of committing, that you are accused of covering up.
12 So, to prove that you committed this crime, the misprision, the
13 Government would not only have to prove a violation of
14 Title 18, Section 371 with the object being a violation of 666,
15 but here in addition to those two the Government would also
16 have to prove that you learned of it, knew about it, concealed
17 it, covered it up and didn't tell anybody. So, it takes it
18 one-step further insofar as proof. Do you understand?

19 DEFENDANT PARKER: Yes, Your Honor.

20 THE COURT: On these charges this is what the
21 Government would have to prove and if you waive your right to
22 be indicted this is what would be before the jury. Do you
23 understand that?

24 DEFENDANT PARKER: Yes, Your Honor.

25 THE COURT: With the punishments that I provided. Do

1 you understand that?

2 DEFENDANT PARKER: Yes, Your Honor.

3 THE COURT: And do you want me to permit the waiver
4 of the indictment?

5 DEFENDANT PARKER: Yes, Your Honor.

6 THE COURT: And does the Government or Defense know
7 of any reason why indictment shouldn't be waived?

8 MR. KLEBBA: No, Your Honor.

9 MR. COURCELLE: No, Your Honor.

10 THE COURT: The Court finds that the waiver of the
11 indictment was voluntary and knowledgeable and the Court will
12 permit the pursuit of this case on the criminal information
13 that's been filed.

14 Now, you are aware from your original and initial
15 appearance before the Magistrate Judge concerning your initial
16 appearance that you have the right to trial by jury?

17 DEFENDANT PARKER: Yes, Your Honor.

18 THE COURT: At which the Government would have to
19 prove to the jury beyond a reasonable doubt that you committed
20 the crime charged. You would be presumed innocent. You do not
21 have to prove that you committed the crime charged. You're
22 entitled to have counsel present with you, and represent you,
23 and if you could not afford an attorney, then the Court would
24 appoint someone to represent you. You understand that?

25 DEFENDANT PARKER: Yes, Your Honor.

1 THE COURT: Do you want me to repeat any of that?

2 DEFENDANT PARKER: No, Your Honor.

3 THE COURT: I've got to repeat it in a moment if --

4 DEFENDANT PARKER: Okay.

5 THE COURT: -- if you pursue your plea of guilty, but

6 I believe that you understand your rights following since

7 you've already had one initial appearance and the only thing

8 that's really changed here is that the charge is now different.

9 DEFENDANT PARKER: Okay.

10 THE COURT: All those rights remain.

11 Okay, I find that the initial appearance has been

12 concluded. I take it by words I received through my Clerk's

13 office that the Defendant wanted to be arraigned today on this

14 and wanted to enter a plea of guilty today on this. Is that

15 true?

16 DEFENDANT PARKER: Yes, Your Honor.

17 THE COURT: Okay. All right, I'm going to administer

18 the oath to you again on the arraignment. Would you please

19 stand and administer the oath again to mark the change in the

20 proceedings.

21 * * * * *

22 **KAREN PARKER, DEFENDANT, SWORN**

23 * * * * *

24 THE CLERK: Please state your name for the record

25 again.

1 DEFENDANT PARKER: Karen Ann Parker.

2 THE COURT: Ms. Parker, you may continue to be
3 seated.

4 DEFENDANT PARKER: Thank you.

5 THE COURT: Ms. Parker, we don't have to do this
6 today. You have, as far as I'm concerned, a great deal more
7 time to prepare yourself to decide whether or not you want to
8 enter a plea of guilty and whether or not in fact you even want
9 to be arraigned today. That can be accomplished at a later
10 time. Have you talked to your attorney about whether or not
11 you wanted to proceed today?

12 DEFENDANT PARKER: Yes, I have.

13 THE COURT: Do you want to proceed?

14 DEFENDANT PARKER: I want to proceed today,
15 Your Honor.

16 THE COURT: And you feel well advised about
17 proceeding today?

18 DEFENDANT PARKER: Pardon me?

19 THE COURT: Do you feel well -- I'm sorry, I don't
20 speak very strongly. I don't know why it is but my voice is
21 not as strong as it used to be. I think it must have something
22 to do with age, but any event. And do you want to proceed
23 today?

24 DEFENDANT PARKER: Yes, Your Honor. We've been
25 working on this for a while.

1 THE COURT: I gathered as much. But you've only had
2 your initial appearance today and so I would give you at least
3 30 days before I would call you before the Court to trial. And
4 it would be at that time that you could give a plea of guilty
5 at that time if that's what you wanted to do, or longer. I
6 know that the parties may be in a hurry to resolve it and you
7 might be too, but I just want to let you know that the law
8 allows you additional time. Do you understand that?

9 DEFENDANT PARKER: Yes, Your Honor.

10 THE COURT: All right. The Court has already found
11 that you are competent. The Court has already found that you
12 are represented by an attorney and that you understand the
13 charges that have been brought against you and the consequences
14 of being found guilty. And I did that just a moment ago and
15 I'm going to adopt those questions and those answers and
16 release them into this proceeding as if they had been done in
17 this arraignment today unless I hear some objection from the
18 parties.

19 MR. KLEBBA: No objection, Your Honor.

20 MR. COURCELLE: No objection, Your Honor.

21 THE COURT: Do you feel well enough to proceed today?

22 DEFENDANT PARKER: Yes, Your Honor.

23 THE COURT: Are you satisfied with your attorney's
24 services?

25 DEFENDANT PARKER: Absolutely. Yes, Your Honor.

1 THE COURT: Been a good attorney for you?

2 DEFENDANT PARKER: Yes, sir.

3 THE COURT: Have you had enough time to discuss your
4 case with him?

5 DEFENDANT PARKER: Yes, sir.

6 THE COURT: Had enough time to discuss whether or not
7 you should plead guilty?

8 DEFENDANT PARKER: Yes, sir.

9 THE COURT: Had enough time to resolve in your own
10 mind how you should address this case?

11 DEFENDANT PARKER: Yes, Your Honor.

12 THE COURT: And do you feel well advised?

13 DEFENDANT PARKER: Yes, Your Honor, I do.

14 THE COURT: Now, to these charges in the superseding
15 bill of information for misprision of a felony which I have
16 already authorized to be filed and we're proceeding on now and
17 for which you're being arraigned on now and I'm advised going
18 to enter a plea of guilty, you have the right under the
19 constitutional laws of the United States to enter a plea of not
20 guilty and to have a trial by a jury on the charges that have
21 been brought against you in this bill of information. At that
22 trial you would have the right to your attorney's presence and
23 legal services. And if you could not afford him, then I would
24 appoint someone to represent you at no cost to you. Do you
25 understand?

1 DEFENDANT PARKER: Yes, sir.

2 THE COURT: At the trial you would be presumed
3 innocent. You would not have to prove that you were innocent.
4 Instead, it would be the obligation of the Government to prove
5 to the jury beyond a reasonable doubt that are guilty. You
6 would have the right to see and to hear the witnesses as they
7 are presented to the jury, the right to question and cross-
8 examine them, and object to the evidence that the witnesses
9 bring. Just like the Government can present a case to the
10 jury, you may do the same. You have the right to require
11 persons to attend and testify. You may testify. You cannot be
12 forced to testify, but you have the right to testify. You have
13 also the right not to testify. No one can force you to speak
14 to the jury. Indeed, no one can force you to plead guilty of
15 these charges at any time. Do you understand?

16 DEFENDANT PARKER: Yes, Your Honor.

17 THE COURT: If you plead guilty and if you give up
18 your right to the jury trial, there will be no trial. I will
19 find you guilty because you plead guilty. I will rely upon
20 your admission, your words of guilt to find that you are guilty
21 and I will sentence you for the same reason. Do you
22 understand?

23 DEFENDANT PARKER: Yes.

24 THE COURT: Do you want to have a trial by jury or do
25 you want to plead guilty?

1 DEFENDANT PARKER: I want to plead guilty.

2 THE COURT: Are you okay?

3 DEFENDANT PARKER: Yes.

4 THE COURT: Are you thinking I'm asking you too many
5 questions or when is this going to be over with?

6 DEFENDANT PARKER: No, Your Honor, it's just me.

7 THE COURT: It's important that I ask you all these
8 questions because actually we're going through three separate
9 proceedings. Why don't we take a little break at this time,
10 okay, about five minutes.

11 DEFENDANT PARKER: Thank you, Your Honor.

12 MR. COURCELLE: Thank you, Your Honor.

13 (Recess from 11:51 a.m., until 12:02 p.m.)

14 THE COURT: Thank you. Please be seated.

15 MR. KLEBBA: Thank you, Your Honor.

16 MR. COURCELLE: Thank you, Your Honor.

17 DEFENDANT PARKER: Thank you, Your Honor.

18 THE COURT: The Marshal Service told me during the
19 break that there were some people using their cell phones. I
20 think by local rules cell phones may not be used to broadcast
21 and there can be no broadcast. I frankly don't care if the
22 type function is used as long as there's no broadcasting. If
23 you want to take notes by hand, that's fine. If people want to
24 take notes by all ten fingers on a keyboard, that's fine, I
25 don't care, but no broadcasting. Have I made the ruling clear?

1 So, now where was I?

2 Are you ready to proceed, ma'am?

3 DEFENDANT PARKER: Yes, Your Honor.

4 THE COURT: Are you sure?

5 DEFENDANT PARKER: Yes, Your Honor.

6 THE COURT: So, I think the last thing we talked
7 about was I was talking to you about what happened if you
8 entered a plea of guilty. So, let me ask you at this time if
9 you want to have a trial by jury or do you want to plead
10 guilty?

11 DEFENDANT PARKER: I want to plead guilty,
12 Your Honor.

13 THE COURT: Okay. And are you willing to give up
14 your right of silence as you enter a plea of guilty?

15 DEFENDANT PARKER: Yes, Your Honor.

16 THE COURT: So, when you plead guilty you're giving
17 up your right of self-incrimination because you announce
18 judicially in open court that you are guilty and that's a
19 waiver of your right to silence. And then the Court will ask
20 questions about what happened so the Court will understand
21 whether or not there had been a crime committed. And under
22 both circumstances if you answer, then that provides evidence
23 against you and you're waiving your right to silence. Do you
24 understand?

25 DEFENDANT PARKER: Yes, Your Honor.

1 THE COURT: And are you willing to undertake that
2 procedure?

3 DEFENDANT PARKER: Yes, Your Honor.

4 THE COURT: You're under oath. Your words are being
5 taken down in the record of this proceeding. You are present
6 with your attorney in open court and your answers may later be
7 used against you in a prosecution for perjury. Do you
8 understand?

9 DEFENDANT PARKER: Yes, Your Honor.

10 THE COURT: Now, a moment ago we talked about what
11 the Government must prove. It must prove the concealment of a
12 conspiracy to steal funds from an agency, a local agency in
13 which you were an agent in which the amount stolen was more
14 than \$5,000, and the agency received more than \$10,000 from the
15 Government in any one year, and the theft and the receipt of
16 the funds have to occur in the same year. Do you understand
17 that?

18 DEFENDANT PARKER: Yes, Your Honor.

19 THE COURT: So, the Government's got to prove
20 knowledge that a crime has been committed, specifically the
21 Title 18, Section 371 crime that we discussed earlier to steal
22 funds from the agency in violation of 666, and steps by you to
23 conceal it, and in fact the failure to disclose. Do you
24 understand that all those --

25 DEFENDANT PARKER: Yes, Your Honor.

1 THE COURT: -- must be proven?

2 DEFENDANT PARKER: Yes, sir.

3 THE COURT: And they must be proven in the context of
4 these charges. Do you understand?

5 DEFENDANT PARKER: Yes, sir.

6 THE COURT: As I understand these charges, and I
7 understand them only by virtue of reading these documents, is
8 that you were an employee of Jefferson Parish and while an
9 employee of Jefferson Parish you were retained on its rolls as
10 a paralegal supervisor and that you were retained on those
11 rolls by virtue of some reason and apparently at the -- as I
12 understand it and reading precisely and perhaps between the
13 lines reading, obtaining that position by virtue of your
14 husband's position influence, and that you went on the rolls of
15 the county of Parish Attorney, although at that time you never
16 had the qualifications to fulfill that role and in fact never
17 fulfilled the role of a paralegal supervisor and instead filled
18 another role of lesser pay but nonetheless remained paid at the
19 paralegal supervisor role level and in substance that that
20 employment was a sham and that it was never intended to be nor
21 was it ever fulfilled that you were actually receiving funds
22 for paralegal work. Is that correct?

23 DEFENDANT PARKER: Yes, Your Honor.

24 THE COURT: And that nonetheless you and the other
25 persons involved maintained through your term of employment the

1 sham that you were an employee of the Parish Attorney providing
2 the work of a paralegal supervisor. Is that right?

3 DEFENDANT PARKER: Yes, Your Honor.

4 THE COURT: The Government would have to prove all
5 those matters. It's not enough for the Government to prove
6 that you occupied a role for which and you were hired for a
7 role but you were not then qualified or licensed. Persons come
8 into positions in private industry, private employment,
9 governmental business without qualifications to hold the
10 positions that they have, but nonetheless they learn by on-the-
11 job training to fulfill that role and they do fulfill that role
12 and they earn an honest day's wages for an honest day's work.
13 But the substance of the Government's charge is that there was
14 no honest day's work and that the wages were therefore
15 dishonest and known by everybody to be dishonest at that time.
16 You understand?

17 DEFENDANT PARKER: Yes, sir.

18 THE COURT: And after discussing this matter with
19 your attorney and learning what the Government must prove and
20 thinking about yourself, do you believe that this is a crime
21 that you committed?

22 DEFENDANT PARKER: Yes, Your Honor.

23 THE COURT: Okay. And did you in this criminal
24 information, were you aware that this crime was being committed
25 and went along with it and in fact did not disclose to the

1 authorities that a crime was being committed? Did you keep it
2 quiet that this crime was being committed?

3 DEFENDANT PARKER: Yes, Your Honor.

4 THE COURT: And did you accept money including these
5 wages so that you would not reveal its commission?

6 DEFENDANT PARKER: Yes, Your Honor.

7 THE COURT: There's some reference in these documents
8 that the documents were filed that would give the public and
9 the county authorities that reviewed such matters the
10 impression that you were serving as a paralegal supervisor.
11 Did you complete such documents and sign such documents and
12 obtain the execution of those documents?

13 DEFENDANT PARKER: Yes, Your Honor.

14 THE COURT: I find the Defendant understands the
15 charge and the consequences of the plea. And again with
16 respect to consequences, I refer back to the initial
17 discussions I had with her in the initial appearance and I
18 adopt it for purposes of this proceeding.

19 Has anyone threatened you or forced you to plead
20 guilty?

21 DEFENDANT PARKER: No, sir.

22 THE COURT: Has anyone promised you leniency if you
23 would plead guilty?

24 DEFENDANT PARKER: No, sir.

25 THE COURT: Who makes the decision for you to plead

1 guilty?

2 DEFENDANT PARKER: Myself.

3 THE COURT: Why are you pleading guilty?

4 DEFENDANT PARKER: Because I'm guilty.

5 THE COURT: Is there a plea agreement?

6 MR. KLEBBA: Yes, there is, Your Honor.

7 THE COURT: Okay. Have you ever filed that plea
8 agreement? I got a copy of it, I think.

9 MR. KLEBBA: I have the original signed plea
10 agreement.

11 THE COURT: Would you like to show it to the --

12 MR. KLEBBA: Certainly.

13 THE COURT: -- Defendants and then --

14 MR. KLEBBA: Ma'am, on Page 5 of this plea agreement
15 on behalf of the United States, myself and Mr. Chester have
16 signed this. Ms. Parker, is this your signature?

17 DEFENDANT PARKER: Yes, sir.

18 MR. KLEBBA: And did you sign and date this document?

19 DEFENDANT PARKER: Yes, sir.

20 MR. KLEBBA: And, Mr. Courcelle, is that your
21 signature?

22 MR. COURCELLE: Yes.

23 MR. KLEBBA: And did you sign and date this document?

24 MR. COURCELLE: Yes.

25 THE COURT: And did you, Ms. Parker, have an

1 opportunity to review this?

2 THE COURT: I'll take care of it.

3 MR. KLEBBA: Would you like me to present this to the
4 Court, Your Honor?

5 THE COURT: Please.

6 MR. KLEBBA: Thank you.

7 THE COURT: Ms. Parker, I have before me a document
8 that's addressed to me. I don't know that -- the plea
9 agreements that I see always in my court and other courts say,
10 "Memorandum of Plea Agreement" at the top. But as I began to
11 read it last Friday and over the course of the weekend, it
12 became apparent to me that this was in fact an intended plea
13 agreement between you and the United States. Do you understand
14 that?

15 DEFENDANT PARKER: Yes, sir.

16 THE COURT: Is that what this document is supposed to
17 be?

18 DEFENDANT PARKER: Yes, Your Honor.

19 THE COURT: And did you read it?

20 DEFENDANT PARKER: Yes, Your Honor.

21 THE COURT: And did you discuss it with your
22 attorney?

23 DEFENDANT PARKER: Yes, Your Honor.

24 THE COURT: You understand it?

25 DEFENDANT PARKER: Yes, Your Honor.

1 THE COURT: Did you sign it?

2 DEFENDANT PARKER: Yes, Your Honor.

3 THE COURT: You need to understand that you don't
4 have any agreements with me. Your agreements are with the
5 United States Attorney's Office. You have no promises from me,
6 no bargains with me, no deals with me.

7 DEFENDANT PARKER: No, sir.

8 THE COURT: If you are unhappy with the sentence that
9 you receive from the Court, you cannot take back your plea of
10 guilty. Do you understand that?

11 DEFENDANT PARKER: Yes, Your Honor.

12 THE COURT: And you will serve the sentence as
13 announced by the Court. Do you understand that?

14 DEFENDANT PARKER: Yes, Your Honor.

15 THE COURT: That's especially true because you are
16 giving up your right to appeal your sentence and your
17 conviction. Were you aware that you are giving up your right
18 to appeal your sentence and your conviction?

19 DEFENDANT PARKER: Yes, Your Honor.

20 THE COURT: Do you want to give up those rights?

21 DEFENDANT PARKER: Yes, Your Honor.

22 THE COURT: I think that you maintained your rights
23 to appeal if I sentence you above the statutory maximum but not
24 otherwise, is that correct?

25 DEFENDANT PARKER: Yes.

1 MR. COURCELLE: That's correct, Your Honor.

2 THE COURT: You're also giving up your rights to file
3 what's known as a 2255 petition or a 2241 petition which
4 defendants use and do use from time to time and of various
5 other federal writs. They're put in use by defendants after
6 their conviction or sentence becomes final. And in sum and
7 substance they ask the court to look at the case again to
8 determine whether or not there are any errors of such magnitude
9 including constitutional errors that the case should either be
10 redone, or the sentence vacated or modified, or in some other
11 way changed to give benefit to the defendant. But you're
12 giving up those rights as well except of any claims of alleged
13 ineffective assistance of counsel. Do you understand that?

14 DEFENDANT PARKER: Yes, Your Honor.

15 THE COURT: I talked to you a moment ago about
16 sentencing guidelines and I want to make sure I've covered
17 that. Sentencing is accomplished in the United States courts
18 by virtue of guidelines that the Court is required to
19 calculate, and consider, and take into consideration with those
20 sentencing factors. And I am responsible for calculating those
21 guidelines correctly at the end of the proceeding. Neither
22 you, nor I, nor anyone else can promise you how those
23 guidelines will be corrected. I can only promise you that I
24 will try to get it right. If I consider those guidelines it
25 will be my choice to consider them with the sentencing factors

1 I obligated to and decide whether or not and to what extent
2 they should control. They are important considerations in your
3 case and generally they take into account most of the factors
4 that judges take into account when they sentence. Do you
5 understand that?

6 DEFENDANT PARKER: Yes, Your Honor.

7 THE COURT: The Government has made certain
8 recommendations to me, that is that you receive certain
9 calculations in those guidelines, acceptance of responsibility,
10 and two or three points depending upon the sentencing guideline
11 range. I will hear those recommendations, but again if I don't
12 think I can follow those recommendations then I won't, and you
13 can't either withdraw your plea of guilty or appeal that
14 decision. Do you understand?

15 DEFENDANT PARKER: Yes, Your Honor.

16 THE COURT: There are some provisions there with
17 respect to restitution at the top of Page 2. Have you and your
18 attorney discussed the restitution that is contemplated there
19 in the top of the page? There's no particular number given. I
20 suppose that number would have to wait on calculations. But as
21 I understand this paragraph, it's contemplated that you would
22 make restitution. Now, I actually can't tell whether or not
23 the parties believe that this restitution is mandatory or
24 whether or not it's an agreed restitution.

25 MR. KLEBBA: Judge, the restitution would be

1 mandatory in this case; however, that would be subject to how
2 many parties are convicted in this case, what the apportionment
3 Your Honor sees fit to order as far as restitution and --

4 THE COURT: Why is restitution mandatory under a
5 Section 4 case?

6 MR. KLEBBA: Well, assuming that Jefferson Parish is
7 considered under the Crime Victim Restitution Act as a victim,
8 my understanding is restitution, therefore, at that point
9 becomes mandatory. But the determination of whether or not
10 they are the victim would obviously be up to Your Honor which
11 then is dependent on whether or not that's mandatory.

12 THE COURT: Does the Defense agree with that
13 statement of law?

14 MR. COURCELLE: It does, Your Honor, and we agree
15 that any restitution imposed by Your Honor will be paid.

16 THE COURT: Is there any particular part of this plea
17 agreement that the Government wants me to address with the
18 Defendant that I haven't?

19 MR. KLEBBA: No, Your Honor. Thank you.

20 THE COURT: Has anybody promised you want your
21 sentence would be?

22 DEFENDANT PARKER: No, Your Honor.

23 THE COURT: I find the plea is voluntary. I find the
24 Defendant understands the charge and the consequences of the
25 plea, that she's competent, she's waived her right to trial and

1 right to silence.

2 You may arraign the Defendant. My process here is
3 that you read the charge to the Defendant. It's a long charge.

4 Does the Defendant waive reading of the charge?

5 MR. COURCELLE: We do, Your Honor.

6 THE COURT: And let me ask you this question if you'd
7 please stand, how do you plead to the allegations of
8 superseding bill of information for misprision of a felony in
9 Cause Number 11-299 that you committed the crime of misprision
10 of a felony in violation of Title 18, Section 4 by concealing
11 and failing to disclose a conspiracy to violate Title 18,
12 Section 666, how do you plead to that, ma'am?

13 DEFENDANT PARKER: Guilty, Your Honor.

14 THE COURT: All right. Thank you.

15 At this point in the proceeding then my custom is to
16 have the prosecution attorneys describe to me the facts of the
17 case. Now, I have received a statement that are the facts of
18 this case. I don't have them before me. Do you have a copy
19 there for me now?

20 MR. KLEBBA: Yes, Your Honor, I have the original
21 signed factual basis in this matter.

22 THE COURT: Do you want to file it?

23 MR. KLEBBA: Yes.

24 THE COURT: Now, Ms. Parker, I have another document
25 that appears to bear your signature. Is this your signature?

1 DEFENDANT PARKER: Yes, Your Honor.

2 THE COURT: And is this your attorney's signature?

3 DEFENDANT PARKER: Yes, Your Honor.

4 MR. COURCELLE: It is, Your Honor.

5 THE COURT: And did you sign it after reading and
6 discussing the factual basis that's described with your
7 attorney?

8 DEFENDANT PARKER: Yes, Your Honor.

9 THE COURT: And did you ask him any questions that
10 you might have about it?

11 DEFENDANT PARKER: Yes, Your Honor.

12 THE COURT: And did he answer those questions to your
13 satisfaction?

14 DEFENDANT PARKER: Yes, Your Honor.

15 THE COURT: And after reading it and discussing it
16 with your attorney do you agree with all of the facts that are
17 written on Pages 1 through 8?

18 DEFENDANT PARKER: Yes, Your Honor.

19 THE COURT: And may I rely upon them as understanding
20 what happened in this case?

21 DEFENDANT PARKER: Yes, Your Honor.

22 THE COURT: Do you have any dispute with any of the
23 facts that are set forth in the factual basis?

24 DEFENDANT PARKER: No, Your Honor.

25 THE COURT: I'm going to accept the factual basis --

1 MR. KLEBBA: Thank you, Your Honor.

2 THE COURT: -- but I would nonetheless like you to
3 summarize for me what you think, and for the benefit of
4 Ms. Parker, what you think the --

5 MR. KLEBBA: Certainly. May I do that seated,
6 Your Honor?

7 THE COURT: You may.

8 MR. KLEBBA: Thank you.

9 THE COURT: -- what you think the most significant
10 facts are.

11 MR. KLEBBA: Significantly, Your Honor, Karen Parker
12 was employed with the Jefferson Parish Counsel. She left that
13 position on July 31st, 2003 to help her then boyfriend, Aaron
14 Broussard, in his campaign to run for Parish President of
15 Jefferson Parish. On or about October 4th, 2003, Aaron
16 Broussard was elected Parish President of Jefferson Parish and
17 four years later he was reelected.

18 The couple, Ms. Parker and Mr. Broussard, were
19 married on May 29th, 2004, however, they began their romantic
20 relationship back in 2001.

21 Your Honor, for the elements of this case it's
22 important to note that Jefferson Parish was utilizing Iberia
23 Bank which was formerly known as Omni Bank for ACH payroll
24 transactions and that Ms. Parker deposited -- had direct
25 deposit with her Jefferson Parish Federal Credit Union.

1 Therefore, all of her salaries which she earned when she became
2 the paralegal supervisor was deposited into that bank account
3 for the relevant time period. And also important is the
4 Jefferson Parish Attorney's Office is a local government agency
5 of Jefferson Parish and it received federal funding and federal
6 assistance in excess of \$10,000 during each of the one-year
7 periods for the time period of 2004 through 2010.

8 Now, after Aaron Broussard was elected Parish
9 President of Jefferson Parish, he went to at least two other
10 public officials in Jefferson Parish and asked them and agreed
11 with them that they were to hire Karen Parker as a paralegal
12 supervisor in the Parish Attorney's Office. After those
13 discussions it was understood by the parties that Parker would
14 be hired as a paralegal supervisor under the purview of the
15 Parish Attorney's Office in Jefferson Parish. Aaron Broussard
16 specifically wanted other parish officials to make that
17 decision to hire her including Tom Wilkinson, a co-defendant in
18 this case, because he knew that once he took over the position
19 of Parish President he could not hire Parker because there
20 would be increased scrutiny as a result of their romantic
21 relationship and the fact that they planned to get married the
22 following year.

23 All parties to this decision to hire Parker, that's
24 Aaron Broussard, Tom Wilkinson, and others, knew that Parker
25 was not qualified, trained, or certified as a paralegal

1 supervisor and despite this on October 28th, 2003, Parker was
2 given the position of paralegal supervisor in the Jefferson
3 Parish Attorney's Office under Tom Wilkinson's supervision.
4 Her starting salary was approximately \$48,000 which was hired
5 than the salary range provided for under the Executive Pay Plan
6 for Jefferson Parish.

7 In addition on or about October 28th, 2003, Tom
8 Wilkinson approved the rescission cancellation of Parker's --
9 I'm sorry, July 31st, 2003 resignation from Jefferson Parish
10 employment. This allowed her to collect additional money and
11 salary in the form of longevity pay, ten-year awards, health
12 insurance benefits, and annual leave. Wilkinson also approved
13 the placing of Parker on leave without pay for that time
14 period, August 1st, 2003 through October 31st, 2003 thereby
15 eliminating any break in her employment with Jefferson Parish.
16 Wilkinson approved the decision to hire Parker as a paralegal
17 supervisor, approved her salary, rescinded her resignation, and
18 approved her leave without pay status when he executed Parker's
19 Parish of Jefferson, Department of Human Resource Request to
20 Fill a Vacant Job form on October 28th, 2003.

21 Jefferson Parish lays out the specific job
22 description relative to a paralegal supervisor and it's alleged
23 in this document, Judge, that Defendant Karen Parker did not do
24 anything that meets those job descriptions for a paralegal
25 supervisor and that Aaron Broussard, Tom Wilkinson, and other

1 high-ranking parish officials knew that she was not fulfilling
2 that job.

3 Now, on or about March 8th, 2004, Tom Wilkinson
4 approved a transfer of Parker to work for the ID Management
5 Bureau and the ID Management Bureau was responsible for the
6 issuance of ID badges to parish employees and responsible for
7 the issuance of those badges. Jefferson Parish determined that
8 only one employee is required for the parish to hold that
9 position, but despite her transfer to that location, Parker
10 retained her position and higher salary as a paralegal
11 supervisor until her dismissal on or about February 5th, 2010.

12 As with her work at the Parish Attorney's Office
13 during the time period she worked at the library in ID
14 Management, she did not perform any duties of a paralegal, or
15 of a paralegal supervisor. And likewise Broussard and
16 Wilkinson were aware that during the same time period that she
17 was not performing those duties of a paralegal or paralegal
18 supervisor while assigned to the ID Management Bureau.
19 Moreover, both Broussard and Wilkinson have firsthand knowledge
20 that Parker did not appear at times at the location where she
21 was assigned to work at the Eastbank Regional Library.

22 Now beginning in 2003 as noted earlier in this
23 factual basis, Parker was given the salary of \$48,000 as a
24 paralegal supervisor and the salary was routinely increased by
25 Wilkinson through a series of pay raises. In 2004, 2007, and

1 twice in 2008 Parker was approved for annual evaluation pay
2 raises which Wilkinson signed off on. And these pay raises
3 were granted despite the fact that Wilkinson and Broussard knew
4 that Karen Parker was not fulfilling the job of a paralegal or
5 a paralegal supervisor.

6 From approximately 2004 to 2009, Wilkinson authorized
7 pay raises for Parker from approximately \$46,439 to
8 approximately \$63,898 knowing these pay raises would result in
9 increased retirement benefits to Parker. In total from 2004 to
10 2010 Parker was paid approximately \$323,308 in Jefferson Parish
11 taxpayer funds for her salary. In turn, after hiring Parker as
12 a paralegal supervisor in the Parish Attorney's Office,
13 Broussard retained Wilkinson as the parish attorney in December
14 of 2003. As Parker's salary was annually being raised by
15 Wilkinson, Broussard as Parish President was approving annual
16 pay raises for Wilkinson. From approximately 2004 through
17 2009, Broussard authorized these pay increases for Wilkinson.

18 In an effort to conceal the scheme an artifice noted
19 earlier, among other things Aaron Broussard from approximately
20 2005 through 2010 repeatedly made false representations about
21 Parker's occupation on multiple documents including official
22 U.S. Government documents such as tax returns, mortgage
23 applications, and on sworn personal financial disclosure
24 statements. In particular on these documents Broussard
25 repeatedly represented that Parker was a paralegal or a

1 paralegal supervisor when he knew that she was not qualified,
2 trained, certified as a paralegal, and in fact Parker did no
3 work as a paralegal or a paralegal supervisor for Jefferson
4 Parish.

5 Additionally, from approximately 2004 through 2010
6 Broussard received monies totaling hundreds of thousands of
7 dollars that were characterized as among other things
8 "retainers, consulting fees, or finder fees" with various
9 contractors and vendors, all whom were doing business with
10 Jefferson Parish --

11 THE COURT: Excuse me --

12 MR. KLEBBA: Yes, Your Honor?

13 THE COURT: -- does that have anything to do with her
14 in this case?

15 MR. KLEBBA: No, Your Honor.

16 THE COURT: Then let's don't take up the time to read
17 it, because I've read it.

18 MR. KLEBBA: Okay. Very good, Your Honor.

19 With respect to the misprision of a felony, Parker,
20 Broussard, and Wilkinson knew from approximately 2004 through
21 2010 that she was not qualified, trained, or certified to be a
22 paralegal supervisor in Jefferson Parish, did no work as a
23 paralegal supervisor in Jefferson Parish. In hiring,
24 retaining, and paying Parker as a paralegal supervisor,
25 Broussard and Wilkinson intentionally stole, or committed theft

1 of Jefferson Parish tax funds. Though Parker was aware that
2 was she was stealing or committing theft of property valued at
3 \$5,000 or more which was owned or under the care, custody,
4 control of the Parish of Jefferson, Parker did not report this
5 crime to federal authorities and indeed concealed this crime
6 from the authorities by among other things continuing to accept
7 her salary and/or salary increases on an annual basis, and by
8 signing various forms including U.S. Government forms and
9 personal disclosure statements falsely representing her as a
10 paralegal supervisor.

11 Your Honor, this factual basis that we're asking to
12 be entered into the record is merely a -- it's not a complete
13 statement of the facts of this particular case. We only put
14 enough facts that we felt was sufficient for her plea in this
15 matter. And the Government would of course at trial call
16 witnesses and introduce documentary evidence to support the
17 facts laid out in this factual basis.

18 THE COURT: Do you agree that the Government could
19 prove all these matters, Ms. Parker?

20 DEFENDANT PARKER: Yes, Your Honor.

21 THE COURT: And did you do the things, and say the
22 things, and accomplish the things that the Government charges
23 in the factual basis and in the criminal information?

24 DEFENDANT PARKER: Yes, Your Honor.

25 THE COURT: What distinguishes this, Counsel for the

1 Government, between a crime of theft and a crime of
2 mismanagement?

3 MR. KLEBBA: Specifically, Your Honor, Karen Parker
4 was hired at the time to fulfill a position that she never was
5 capable or intended to fill and that being the job of paralegal
6 supervisor. Her soon to be husband who was the President Elect
7 of the parish knowing that went to other public officials
8 within the parish who then he appointed and gave them positions
9 in the parish and rewarded them for those efforts for hiring
10 her and for agreeing to keep her on, and for agreeing to keep
11 her on, and for agreeing to pay her, increase her salary over
12 the course and time in his tenure as Parish President. He did
13 this deliberately to circumvent the system by having other
14 people prior to him taking office hire Ms. Parker because he
15 knew that he was subject to this increased scrutiny because of
16 their romantic interest.

17 THE COURT: And I take it you would also prove that
18 there was never any intention that she fulfill that role as a
19 paralegal supervisor and that she never did during the course
20 of these seven years?

21 MR. KLEBBA: That's correct, Your Honor. And we
22 intend to show that the Parish Attorney's Office was used by
23 Aaron Broussard for political gain to reward friends and people
24 who were not, as in the case of Ms. Parker, ever intended to do
25 this work. It was simply a mechanism by which to pay in

1 Ms. Parker's case a spouse an annual salary for a job that she
2 was neither qualified to do nor did.

3 THE COURT: Well, there are lots of people not
4 qualified to handle the job that they have and I want to make
5 certain that the Government is not attempting to obtain a
6 successful prosecution based upon a lack of understanding of
7 the abilities of their employees or even a generosity in
8 overlooking their failures.

9 MR. KLEBBA: That's not our intention at all,
10 Your Honor. Jefferson Parish had a written policy that
11 paralegal supervisors and paralegals had to have certification
12 as a prerequisite for employment. Ms. Parker did not have
13 that.

14 THE COURT: Okay. Does Defense agree with the
15 responses of the Government?

16 DEFENDANT PARKER: Yes, Your Honor.

17 MR. COURCELLE: Yes, Your Honor.

18 THE COURT: The Court is satisfied that there is a
19 factual basis for the plea since you acknowledge you're guilty,
20 and know your right to trial, and what the maximum possible
21 punishment is as well as the mandatory minimum, And since you
22 are voluntarily and knowingly entering your plea of guilty, I
23 enter a finding of guilty on your plea.

24 We need to arrange a sentencing date. Sentencing is
25 set for -- I don't know what the parties intend. Generally, I

1 set it 70 days from today.

2 MR. COURCELLE: I would ask for more time.

3 MR. KLEBBA: Yes, we would have no objection to --

4 Would you like six months?

5 MR. COURCELLE: Yes, I mean --

6 MR. KLEBBA: We would like to put this off until

7 after the scheduled trial date, Your Honor.

8 THE COURT: Is it contemplated that Ms. Parker is

9 going to cooperate --

10 MR. COURCELLE: Yes, Your Honor.

11 THE COURT: -- in the --

12 MR. COURCELLE: Yes, Your Honor. And it's

13 significant --

14 THE COURT: We'll set it six months --

15 MR. COURCELLE: -- so the --

16 THE COURT: We'll set it six months from today --

17 MR. COURCELLE: That's great.

18 MR. KLEBBA: Thank you, Your Honor.

19 THE COURT: -- which would be -- what is today? This

20 is the --

21 MR. COURCELLE: Today is January 17th.

22 THE CLERK: July 17th.

23 THE COURT: Okay, July -- what day of the week is

24 that?

25 THE CLERK: It's a Tuesday.

1 THE COURT: No, we should do it at the beginning or
2 the end of the week. Let's do it at the end of the week.

3 THE CLERK: The 20th, Friday, July 20th?

4 THE COURT: Let's do it the following week, July the
5 27th. Is that agreeable with the parties?

6 MR. COURCELLE: Yes, Your Honor.

7 MR. KLEBBA: Yes, Your Honor.

8 MR. COURCELLE: What time?

9 THE COURT: One-fifteen.

10 A pre-sentence investigation is ordered and you need
11 to meet with Probation now.

12 The position of the Government on bond?

13 MR. KLEBBA: There's no objection to Ms. Parker
14 continuing on her signature bond previously set by Magistrate
15 Stacy. I believe it was \$100,000, Your Honor.

16 MR. COURCELLE: That's accurate.

17 THE COURT: So ordered.

18 MR. COURCELLE: Thank you, Your Honor.

19 THE COURT: Any changes requested?

20 MR. COURCELLE: Pardon me?

21 THE COURT: Any changes requested?

22 MR. COURCELLE: No, Your Honor. Thank you.

23 MR. KLEBBA: Not on behalf of the Government.

24 THE COURT: Thank you very much. We're adjourned.

25 * * * * *

C E R T I F I C A T E

I certify that the foregoing is a correct transcript from the electronic sound recording of the proceeding in the above-entitled matter.

S/Ann B. Schleismann
ANN B. SCHLEISMANN

2/22/12
DATE