

TWENTY-FIRST JUDICIAL DISTRICT COURT
PARISH OF LIVINGSTON

NUMBER:

DIVISION:

LIZ MURRILL, IN HER OFFICIAL
CAPACITY AS ATTORNEY GENERAL
OF THE STATE OF LOUISIANA

VERSUS

LIVINGSTON PARISH LIBRARY BOARD OF CONTROL, REBECCA HOWZE MORGAN,
KRISTAN WHANN, RODLYN HAMMOND, JENNIFER DORHAUER, JONATHAN
DAVIS, SHEILA GOINS, PATRICIA WILSON, DEWANNA CHRISTIAN, JAMES TREY
COWELL, AND RANDY DELATTE

**PETITION TO ENFORCE LOUISIANA OPEN MEETINGS LAW, FOR
DECLARATORY AND INJUNCTIVE RELIEF, AND FOR ATTORNEY'S FEES AND
COSTS**

NOW INTO COURT, through undersigned counsel, comes Liz Murrill, in her official capacity as Attorney General of the State of Louisiana, who brings this enforcement action pursuant to La. R.S. 42:25 and respectfully alleges the following:

JURISDICTION AND VENUE

1.

This enforcement action is brought under the Attorney General's authority pursuant to La. R.S. 42:25(A) to ensure compliance with the Louisiana's Open Meetings Law, La. R.S. 42:11 *et seq.*

2.

Venue is proper in Livingston Parish under to La. C.C.P. art. 42 and La. R.S. 42:27(A), as the actions giving rise to this petition occurred within this parish and involve a public body domiciled herein.

PARTIES

3.

Made defendants are:

A. LIVINGSTON PARISH LIBRARY BOARD OF CONTROL, a public body and political subdivision of the State of Louisiana;¹

B. REBECCA HOWZE MORGAN, a person of the age of majority domiciled in Livingston Parish, Louisiana, who, at all times pertinent hereto, was a member of the Board;

C. KRISTAN WHANN, a person of the age of majority domiciled in Livingston Parish, Louisiana, who, at all times pertinent hereto, was a member of the Board;

D. RODLYN HAMMON, a person of the age of majority domiciled in Livingston Parish, Louisiana, who, at all times pertinent hereto, was a member of the Board;

E. JENNIFER DORHAUER, a person of the age of majority domiciled in Livingston Parish, Louisiana, who, at all times pertinent hereto, was a member of the Board;

F. JONATHAN DAVIS, a person of the age of majority domiciled in Livingston Parish, Louisiana, who, at all times pertinent hereto, was a member of the Board;

G. SHEILA GOINS, a person of the age of majority domiciled in Livingston Parish, Louisiana, who, at all times pertinent hereto, was a member of the Board;

H. PATRICIA WILSON, a person of the age of majority domiciled in Livingston Parish, Louisiana, who, at all times pertinent hereto, was a member of the Board;

I. DEWANNA CHRISTIAN, a person of the age of majority domiciled in Livingston Parish, Louisiana, who, at all times pertinent hereto, was a member of the Board;

J. JAMES TREY COWELL, a person of the age of majority domiciled in Livingston Parish, Louisiana, who, at all times pertinent hereto, was a member of the Board; and

K. RANDY DELATTE, a person of the age of majority domiciled in Livingston Parish, Louisiana, who, at all times pertinent hereto, was the Parish President and *ex officio* member of the Board.

FACTUAL BACKGROUND

4.

Upon information and belief, on July 15, 2025, the Livingston Parish Library Board of Control (“Board”) convened a public meeting which included, as published agenda item number “10. Executive Session, a. Annual Performance Evaluation of the Livingston Parish Library

¹ See La. R.S. 25:214; 24:214.5.

Director – Jennifer Dorhauer, Board President.”² A copy of the July 15, 2025 meeting agenda is attached hereto as Exhibit A.

5.

Immediately prior to entering executive session, the Board publicly announced that no vote would be taken following the executive session, and members of the public were expressly advised that they could leave the meeting.

6.

Specifically, Board President Jennifer Dorhauer stated that the executive session was for the sole purpose of conducting the Executive Director’s annual performance evaluation, that no voting would occur, and that anyone who stayed would not be missing anything.³

7.

Relying on the Board’s representation, numerous members of the public exited the meeting prior to the executive session, in the belief that no further action would be taken that evening.

8.

After approximately two and a half hours in executive session, the Board returned to open session and immediately entertained and passed a motion to terminate the Executive Director’s employment contract.

9.

Although the Board allowed public comment prior to the vote, many members of the public had already departed based on the earlier assurances that no action would be taken. As a result, only a limited number of citizens were present to observe and comment on the final decision.

10.

On July 17, 2025, the Attorney General received formal citizen complaints from Ryan Westmoreland, Jordan Gonzales, Melissa Anderson, and Vicki Leger Turner alleging that the Board had violated the Open Meetings Law during its July 15, 2025 public meeting. The complaints specifically alleged that, prior to entering executive session, the Board President Jennifer Dorhauer stated that the session was solely for the annual performance review of the Board’s Executive Director, that there would be no voting, and that anyone who stayed would not

² The Board’s meetings are matters of public record. Livingston Parish Library Board of Control Meeting, *YouTube* (July 15, 2025), <https://www.youtube.com/watch?v=NGtGkOkzhRE>.

³ See Livingston Parish Library Board of Control Meeting, *YouTube*, at 1:37:08-1:37:37 (July 15, 2025), <https://www.youtube.com/watch?v=NGtGkOkzhRE>. (A recording of the July 15, 2025 meeting captures Board President Dorhauer referencing and agreeing with statements made by the Board’s attorney, Christopher Moody, indicating that members of the public did not have to stay because they would not be missing anything.)

be missing anything. These complainants later submitted a supplemental complaint on July 22, 2025, reiterating their concerns and joining their complaint with additional signatories Connie Shipp and Dandra Kelly.

11.

The Attorney General initiated an investigation pursuant to La. R.S. 42:25(A) following receipt of these complaints.

GOVERNING LAW

12.

Article XII, § 3 of the Louisiana Constitution guarantees that “no person shall be denied the right to observe the deliberations of public bodies and examine public documents, except in cases established by law.”

13.

The Open Meetings Law was intended to ensure the rights of citizens to participate in deliberations of public bodies:

The primary purpose of Louisiana’s Open Meetings Law and the constitutional provision insuring the right of citizens to participate in the deliberations of public bodies is to protect citizens from secret decisions made without any opportunity for public input. The public has a right to know what is being considered and is entitled to *direct participation* in deliberations as styled by the title to Section 3, Article XII of the Constitution of 1974. *Wagner v. Beauregard Par. Police Jury*, 525 So. 2d 166, 169 (La.App. 3 Cir. 1988).

14.

Because the Open Meetings Law is designed to ensure the rights of citizens in the conduct of their business, the protections of the laws are to be liberally construed:

La. R.S. 42:12. Public policy for open meetings; liberal construction

A. It is essential to the maintenance of a democratic society that public business be performed in an open and public manner and that the citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy. *Toward this end, the provisions of this Chapter shall be liberally construed.* (Emphasis added).

15.

Accordingly, the provisions of the Open Meetings Law implement the constitutional right of citizens to know of the public business and deliberations and to be able to participate in deliberations, and, in pertinent part, those provisions include the following:

16.

Every meeting of any public body shall be open to the public unless closed pursuant to R.S. 42:16, 17, or 18. La. R.S. 42:14(A). Each public body shall be prohibited from utilizing any manner of proxy voting procedure, secret balloting, or any other means to circumvent the intent of this Chapter. La. R.S. 42:14(B).

17.

All public bodies are required to allow public comment prior to taking action on an agenda item on which a vote is to be taken. La. R.S. 42:14(D).

18.

All public bodies shall give written public notice of any regular, special, or rescheduled meeting no later than twenty-four hours, exclusive of weekends and legal holidays, before the meeting. La. R.S. 42:19(A)(1)(b)(i). Such notice shall include the agenda, date, time, and place of the meeting. The agenda shall not be changed less than twenty-four hours prior to the scheduled time of the meeting. *Id.* 42:19(A)(1)(b)(ii)(aa). Each item on the agenda shall be listed separately and described with reasonable specificity.

19.

Upon unanimous approval of the members present at a meeting of a public body, the public body may take up a matter not on the agenda. La. R.S. 42:19(A)(1)(b)(ii)(cc). Any such matter shall be identified in the motion to take up the matter not on the agenda with reasonable specificity, including the purpose for the addition to the agenda, and entered into the minutes of the meeting.

20.

Prior to any vote on the motion to take up a matter not on the agenda by the public body, there shall be an opportunity for public comment on any such motion in accordance with R.S. 42:14 or 15. La. R.S. 42:19(A)(1)(b)(ii)(cc).

VIOLATIONS OF THE OPEN MEETINGS LAW

21.

The Board's conduct on July 15, 2025, violated the Open Meetings Law by misleading the public into believing no vote or action would occur after executive session, thereby dissuading them from remaining at the meeting.

22.

The Board took final action immediately upon return from executive session, despite the public having departed in reliance on the Board’s representations.

23.

The motion to terminate the Executive Director’s employment contract was a matter distinct from the agenda item which described only an “Annual Performance Evaluation” and therefore the Board took final action on a matter that was neither included on the published agenda nor properly added thereto by unanimous approval of the members present, in direct contravention of 42:19(A)(1)(b)(ii)(cc).

24.

To the extent that termination of the Executive Director’s employment related to the item listed on the agenda for “Annual Performance Evaluation,” the existing agenda item was not reasonably specific. La. R.S. 42:19(A)(1)(b)(ii)(bb).

25.

The Board’s representations to the public—assuring attendees that no vote would be taken and that they would not miss anything by leaving—had the effect of constructively excluding members of the public from the meeting. This conduct violated both the letter and spirit of the Open Meetings Law, infringing upon the public’s constitutional and statutory rights to observe and participate in governmental decision-making. In doing so, the Board acted in direct contravention of the express public policy of the State of Louisiana, which demands that public business be concluded in an open and transparent manner. *See* La. Const. art. XII, § 3; La. R.S. 42:12(A).

RELIEF REQUESTED

26.

In light of the foregoing, the Court should issue a declaratory judgment finding that:

A. The Board’s representation to the public on July 15, 2025—that no vote would be taken following executive session and that members of the public could leave the meeting—violated the Open Meetings Law by dissuading public attendance and participation, contrary to the constitutional and statutory guarantees of transparency in public deliberations; and

B. The Board’s action to vote on the termination of the Executive Director’s contract upon returning from executive session violated La. R.S. 42:19.

The Attorney General further prays that this Court:

- A. Issue a preliminary and permanent injunction directing the Livingston Parish Library Board of Control and its members to strictly comply with the requirements of the Open Meetings Law, including full disclosure of agenda items, prohibition against misleading the public, and the facilitation of meaningful public participation in all final actions;
- B. Declare the final action taken on July 15, 2025—namely, the vote to terminate the Executive Director’s contract—null and void pursuant to La. R.S. 42:24;
- C. Assess civil penalties against any Board member found to have knowingly and willfully participated in the above-described violations, in accordance with La. R.S. 42:28; and
- D. Award the State of Louisiana, through the Attorney General, reasonable attorney’s fees and all costs of these proceedings, pursuant to La. R.S. 42:26(C).

PRAYER FOR RELIEF

WHEREFORE, Petitioner, Liz Murrill, in her official capacity as Attorney General of the State of Louisiana, prays that the defendants named herein appear and show cause on a day and time convenient to the Court why this Court should not:

- 1. Issue a declaratory judgment finding that the Livingston Parish Library Board of Control and the named members violated the Open Meetings Law;
- 2. Issue preliminary and permanent injunctions directing compliance with the Open Meetings Law;
- 3. Declare the action taken on July 15, 2025, null and void;
- 4. Impose civil penalties under La. R.S. 42:28; and
- 4. Award reasonable attorney’s fees and costs of these proceedings in favor of the State of Louisiana, through Liz Murrill, in her official capacity as Louisiana Attorney General.

Respectfully submitted,

Liz Murrill
ATTORNEY GENERAL

BY: /s/ Jared L. Matte
Carey T. Jones (LSBA #7474)
David Jeddie Smith (LSBA #27089)
Jared L. Matte (LSBA #39274)

Assistant Attorneys General
Louisiana Department of Justice, Civil Division
P.O. Box 94005
Baton Rouge, LA 70802
Telephone: (225) 326-6060
Facsimile: (225) 326-6098
Email: jonescar@ag.louisiana.gov
smithda@ag.louisiana.gov
MatteJ@ag.louisiana.gov

Please serve:

Livingston Parish Library Board of Control

through Acting Executive Director

Kyla Webb
13986 Florida Blvd.
Livingston, LA 70754

Randy Delatte

23801 Leader Road
Maurepas, LA 70449

Jennifer Dorhauer

39488 Hess Road
Denham Springs, LA 70706

Kristan Whann

24972 Hood Street
Holden, LA 70744

Rodlyn Hammond

10596 Sagebrush Drive
Denham Springs, LA 70706

Jonathan Davis

11249 Caddo Drive
Denham Springs, LA 70727

Sheila Goins

26349 Wax Road
Denham Springs, LA 70726

DeWanna Christian

24380 Miller Road
Livingston, LA 70754

James Trey Cowell

16417 Kinchen Road
Livingston, LA 70754

Rebecca Howze Morgan

32561 Mangum Chapel Road
Walker, LA 70785

Patricia Wilson

10650 Crossover Road
Denham Springs, LA 70726