

Our Dissembling City Marshal **(<http://theind.com/articles.sec-21-1-news.html>)**

Brian Pope's denials and obstruction regarding this newspaper's efforts to get to the bottom of that bizarre Oct. 7 press conference point to just one thing: Our city marshal is unfit for public office.

BY CHRISTIAAN MADER AND LESLIE TURK (BY-AUTHOR-227-1.HTML)



Pope's stack of records in all its confounding glory.

To his credit, City Marshal Brian Pope finally complied with our original records request, submitted Oct. 8. That said, it took about two months and a court injunction from a Dec. 14 hearing to cajole him into his duty as custodian of those records. And, in any case, he's not yet fully responded to any of the subsequent requests we've sent.

Just in time for the holiday season, and within the court-ordered three-day window following the hearing, Pope's office produced a stack of documents responsive to our records request on Dec. 18. Had this happened on or before Oct. 13 – i.e. within the statutory limit of five days from our original request – this would not be noteworthy. But through alternating denials, attempted legal evasions and an odd turn of testimony at the hearing, this stack of several hundred pages has become very interesting indeed.

There was no obvious smoking gun (that came about a week later via a public records request to Lafayette Consolidated Government, which we will get into later in this story), no letters to Chad Leger or his campaign manager, Hilary "Joe" Castille, or communiques proving that he collaborated with the Leger campaign to smear Leger's opponent in 2015's sheriff election, now Sheriff-elect Mark Garber. After receiving the stack of 588 pages (many of which were duplicates, as we asked for words like Garber, Campaigner, immigration, Neustrom, Leger, Castille), we were still left with educated guesses as to the depths of their canoodling.

But what we did find directly contradicted Pope's hearing testimony that he was unaware of an email advertising a bizarre press conference and distributed by the mailing list service Campaigner, and raised further speculation about what else he could be hiding or even thinking.

A thorough review of the court transcript of his testimony revealed an elected law enforcement official at the very least ignorant of his duties and the law, and at worst flagrant in his flaunting of the same.

To wit, this courtroom parlay with our attorney, Gary McGoffin, wherein Pope says that he performed a search pursuant to our request and came up with zilch:

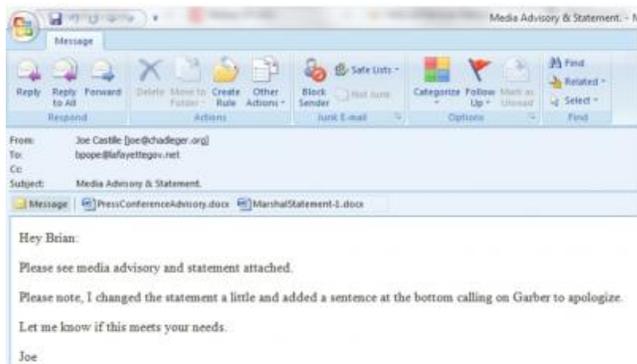
McGoffin: Could you tell us what steps you utilized to determine if there were any documents in your office bearing your email address either going out or coming back that had the search terms in it?

Pope: I just searched the names and the terms that was in it.

McGoffin: And how, exactly, did you do that?

Pope: Through the...however you do it in Outlook. You just put it at the top and if it doesn't come back it won't come up.

McGoffin: Okay. So there's a search field for Outlook, you put each of the search terms in and it didn't generate any responses?



Public records from LCG appear to prove that then-sheriff candidate Chad Leger's campaign manager, Joe Castille, prepared Pope's media advisory and remarks for the Oct. 7 press conference (additional records show Castille also wrote the press release.

Pope: Yes, sir. It was perhaps this not-so-adroit exposition of his email acumen that gave presiding District Judge Jules Edwards III the cause to suggest to Pope that he contract outside help to perform a second, more exhaustive search.

"I'm going to suggest the marshal employ some person who is technically competent in electronic information management," Edwards said in his ruling. "The marshal has testified in such a way that I am not convinced that he is terribly proficient in the operation of Microsoft Outlook." That search, conducted by Enterprise Data Concepts, dredged several messages responsive to our request. They were so responsive, in fact, they showed up

several times over in a stack of files organized by search term. These responses were all replies to a Campaigner-produced mailing blast titled “Press Conference - Lafayette City Marshal.”

In three cases, Pope replied to the replies, a point which severely undermines his claim that he had no clue where the email came from, evidenced by an exchange between Pope and an account executive at TV station KADN.

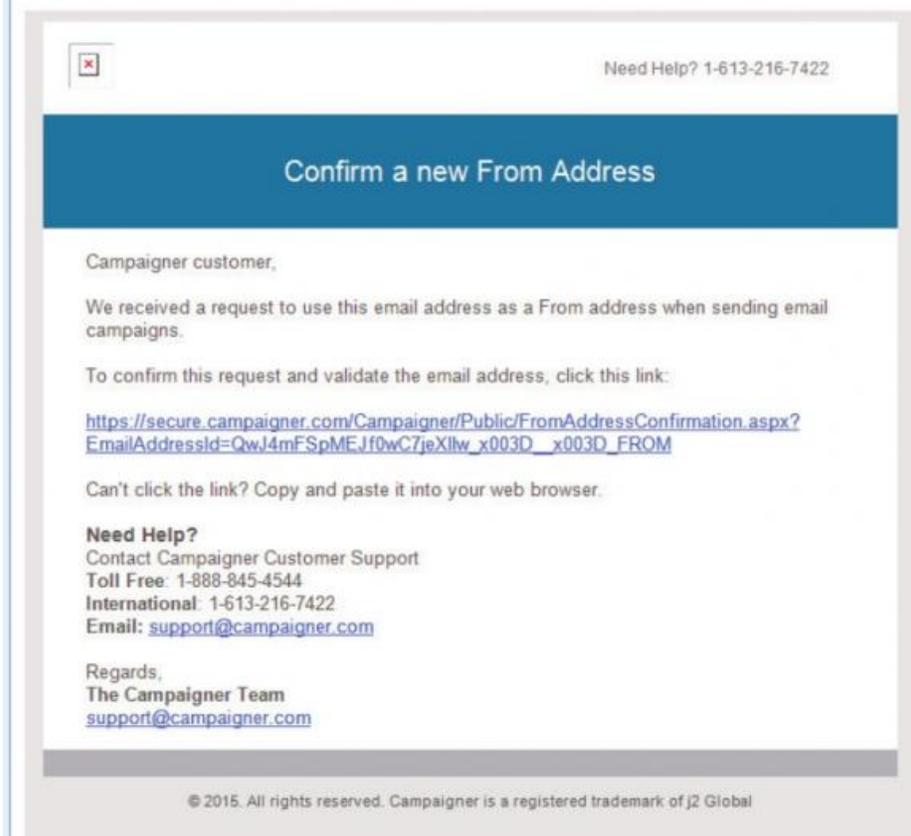
Pope’s correspondence with KADN contradicts his claim that he was surprised by calls from agencies outside of Lafayette, as he clearly hoped his press conference would generate national coverage. Given the extra exclamation point, we can infer he was quite pleased with the attention.

Pope replied to email replies from two media sources, the KADN exchange and another follow-up inquiry from Acadiana Advocate reporter Lanie Lee Cook, all within message threads collected under the “re: Press Conference - Lafayette City Marshal” subject line. Existence of those email exchanges also contradicts his testimony that his office advises the media of press conferences only by telephone.

In total, the records request produced eight replies to Pope’s emailed press advisory. Two were to media and six to private citizens.

Two of the replies were auto-response messages. Two others were simple responses. Yet another came from a Crowley-based attorney who took umbrage with Pope’s hypocritical piety on LinkedIn and responded to the release in a new thread. It’s not clear if he was in receipt of the press advisory in question, though that seems to be the likely scenario.

From: Campaigner Email Marketing [support@campaigner.com]
To: bpope@lafayetteela.gov
Cc:
Subject: Confirm a new From Address



Campaigner Email Marketing's confirmation email sent to Marshal Brian Pope on Oct. 6. Ten minutes after Campaigner sent the email, a media advisory arrived in The IND's inbox.

We have also confirmed the press advisory was emailed to The Daily Advertiser and KATC, but those emails were not included in records from Pope's outbox. This corroborates Pope's alleged use or authorization of the use of a third party mailing system.

Local media outlets also tell The IND they did not receive media advisory phone calls from Pope's chief deputy/public information officer, Phil Conrad, as Pope claimed in court.

At the very least we can now say from the above that he was 1) aware of the email 2) not surprised by the method of distribution and 3) totally excited by the prospect of his anti-immigration stunt gaining traction. Yet from his testimony, delivered in a direct examination by his attorney Charles Middleton, we get this:

Middleton: Have you ever contracted with Campaigner to distribute your emails?

Pope: No, sir.

Middleton: Or press releases?

Pope: No, sir.

Middleton: So, as you sit here today, you have no idea why it says "Delivered by Campaigner?"

Pope: I don't know who that is or who uses that.

And then further on down the line with IND attorney McGoffin:

McGoffin: But for the notice to the media the day before about the press conference, do you recall sending this advisory out?

Pope: I didn't...I didn't send it out by email.

McGoffin: Did you authorize anyone besides your public information officer to send out this press advisory?

Pope: No, sir.

McGoffin: So if it was sent out by someone else it was without your permission?

Pope: Yes. I don't know who sent it out. Like I said, before the press conference started I was getting phone calls from all over the country. I don't...I didn't know what these people were calling me for. You know, they were asking me if it was going to be a press conference and I said yes, but I didn't know who they were.

Pope's "beats me" defense didn't stand up given the record shows that he wasn't the least bit alarmed by these replies. Furthermore, his testimony that he was surprised when he started receiving "phone calls from all over the country" is contradicted by the exchange with KADN. Clearly, Pope was at least aware that a Campaigner-based advisory co-opting his email address was going around.

He's a police officer. It defies reason that he would learn that his work address had been "spoofed" and not investigate it.

Besides all that, we'd be remiss to not rehash the following excerpt from Middleton's Oct. 16 letter to The IND:

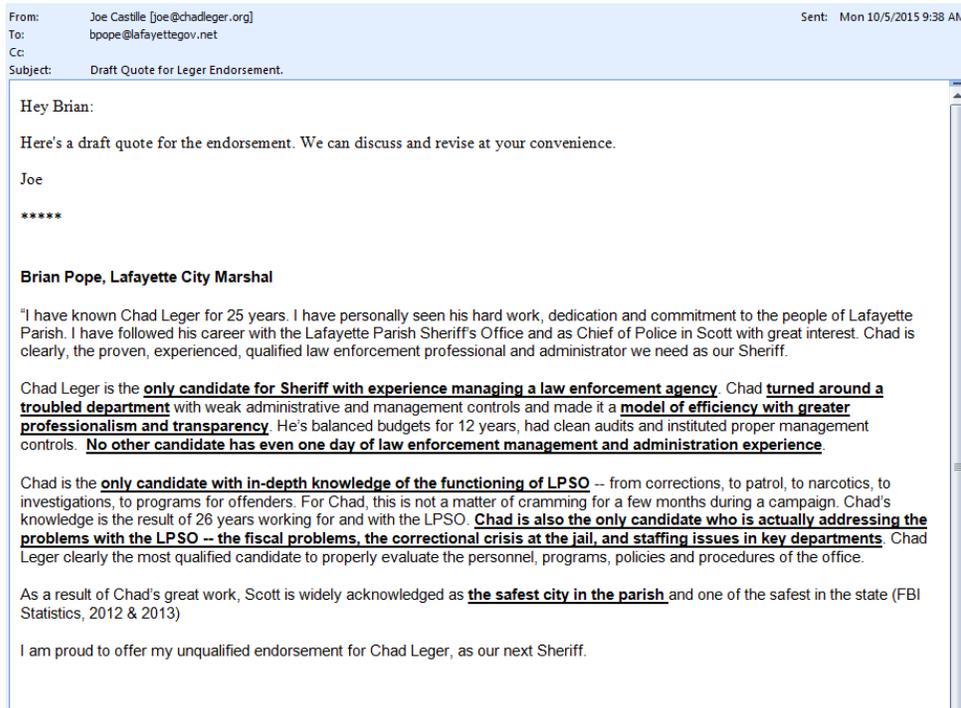
Addressing the original records request, it is my client's response that there are no emails either to or from my client's email address of bpope@lafayettela.gov containing any of the "key words" requested to be searched by your client with one exception. Mr. Pope advised me this morning by telephone that the only emails that might contain one or more key words are email replies he received in reply to the subject "press conference notice" he had sent out via mass distribution via third party vendor across the country, that might contain one or more key phrases, particularly "Garber, immigration, workers compensation, illegal alien," would likely be contained in a reply by a third-party to the instant press conference notice distribution. The responsiveness here would be due to the nature and subject of his press conference.

While none of what Pope provided proved our initial suspicions outright, it did further demonstrate Pope's on again-off again relationship with the truth. He's evaded it at almost every turn, and despite his best efforts, he seemed to prove in court that he had not cleaned up his tracks.

If Pope had nothing to hide, why were these emails not produced two months ago? Why did he first deny our public records request by claiming the emails we sought would be part of pending investigation into Sheriff Mike Neustrom – an investigation that never occurred and was spurious at best? Why did he then say some existed, and then none existed?

Merry Xmas to The IND

It wasn't until Christmas Eve – a Christmas gift, as it were – that The IND received a response to a duplicate public records request (same key words we asked of Pope) to LCG, which provides email service to the marshal's office.



Public records obtained from LCG show that Marshal Pope and Joe Castille, then-sheriff candidate Chad Leger's campaign manager, were corresponding about endorsement wording two days before Pope's anti-Garber press conference.

At last, some clarity. Packaged in the pages responsive to our request were various email communications between Pope and Joe Castille, Chad Leger's campaign manager, in the days leading up to the Oct. 7 press conference. There is a draft of the media advisory for the press conference, for which Pope testified he had no knowledge; the press release Pope says he handed out but did not email; and the statement Pope read at the press conference before fielding questions from the media (our audio shows him reading the statement verbatim). All three were sent to Pope for his approval from joe@chadleger.org, all three presumably originally authored by Joe Castille.

On Oct. 5 Castille sent Pope a draft of Pope's quote endorsing Leger for sheriff. Again, it was Castille who wrote the endorsement statement for Pope.

Among the smoking guns is also the email Pope received from Campaigner Email Marketing on Oct. 6, asking him to confirm that his email address could be used by the service to send emails. Ten minutes after the confirmation email was sent from Campaigner to bpope@lafayettegov.net, the media advisory from Pope's email arrived in The IND's inbox.

It's safe to say that much of what was included in the response from LCG confirmed our suspicions, that our new city marshal abused the power of his office on behalf of a candidate for sheriff and that he was untruthful when questioned under oath.

The Independent had an opportunity to ask Marshal Pope about these emails and just about everything else we could think of at a Dec. 28 video-taped deposition in advance of the next hearing in this matter, set for Jan. 4 in Lafayette.

On the advice of our attorney, we will await word from Judge Edwards on what portions of the deposition will be admitted into the court record before reporting on them.

That said, we can assure you there is a lot more to come.

We want to hear from you.
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