

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-7215

COUNCIL SPONSOR: MR. SMITH

PROVIDED BY: CIVIL DIVISION

RESOLUTION REQUESTING THAT THE ST. TAMMANY PARISH SHERIFF'S OFFICE PROVIDE NECESSARY SUPPORT DOCUMENTATION FOR ITS REIMBURSEMENT REQUESTS TO ST. TAMMANY PARISH GOVERNMENT RELATIVE TO THE OPERATION OF THE ST. TAMMANY PARISH JAIL AND THE TRANSPORTATION OF PARISH PRISONERS.

WHEREAS, the St. Tammany Parish Government (the "Parish") filed a Petition for Declaratory Judgment in the 22<sup>nd</sup> Judicial District Court for the Parish of St. Tammany in proceedings styled "St. Tammany Parish Government, a Political Subdivision of the State of Louisiana vs. Warren Montgomery, in His Official Capacity as District Attorney for St. Tammany Parish, et al." Case No. 2022-15504 ("Local Agency Budget Litigation"); and

WHEREAS, the subject of the Local Agency Budget Litigation was a legal declaration of the rights and obligations of the Parish with respect to funding of every local government agency for which state law imposes funding mandates on the Parish; and

WHEREAS, the Sheriff of St. Tammany (the "Sheriff") was a party in the Local Agency Budget Litigation in which the Parish sought a legal declaration of its annual funding obligations to the Sheriff with respect to the St. Tammany Parish Jail (the "Jail"); and

WHEREAS, a trial was held between the Parish and Sheriff over six days in November and December of 2024 before the Honorable John E. Conery, Judge Ad Hoc, of the 22<sup>nd</sup> Judicial District Court (the "Court"), the sole subject of which was the Parish's funding obligations to the Sheriff for the Jail; and

WHEREAS, on July 1, 2025, the Court issued its final judgment resolving all of the Jail funding disputes between the Parish and Sheriff; and

WHEREAS, in its final judgment, the Court rejected many of the Sheriff's funding demands on the Parish for Jail expenses and instead expressly found that the Sheriff was legally obligated to bear those Jail expenses; and

WHEREAS, for the few specific Jail expenses the Court found were Parish financial obligations, the Court's final judgment provided specific instructions to the Parish and Sheriff regarding how those expenses are calculated and allocated between them; and

WHEREAS, the Court's final judgment declared that the Parish is legally obligated to pay the Sheriff the sum of \$3.50 per Parish prisoner, per day to offset the costs of feeding and keeping prisoners; and

WHEREAS, pursuant to the Court's final judgment, it is therefore critical for determination of amounts owed by the Parish to the Sheriff for these Jail expenses that the Sheriff provide timely and accurate daily prisoner population data so the \$3.50 Parish prisoner per diem can be calculated and paid and the cost of the Jail medical contract can be correctly allocated based on prisoner population; and

WHEREAS, the Court's final judgment declared that the cost of the Jail medical contract for the provision of medical care to prisoners at the Jail is to be allocated between the Sheriff and the Parish on a monthly basis in proportion to the number of prisoners which are Parish prisoners, for which the Parish is financially responsible, and the number of State Department of Corrections prisoners and federal prisoners, for which the Sheriff is financially responsible and for which the Sheriff receives payment from the State and federal governments, respectively; and

WHEREAS, the Court's final judgment also declared that state law provides the precise method pursuant to which the Parish must reimburse the Sheriff for the cost of prisoner transportation to and from the Parish Jail and any other location, and ordered the Parish to pay the Sheriff the following amounts for Parish prisoner transportation: (1) a mileage rate equal to the mileage rate established by the State, Division of Administration for the use of state owned vehicles; (2) compensation for not more than two deputies at the rate of ten cents per mile for every mile which is necessarily traveled in going to such penitentiary or other prison; and (3) for the expense of each prisoner conveyed, five cents per mile for going only, but not less than five dollars for each prisoner; and

WHEREAS, pursuant to the Court's final judgment, it is likewise critical that the Sheriff provide timely and accurate transportation logs documenting the number of Parish prisoners

transported in a particular trip, the miles transported, and the number of deputies engaged in the transport operation; and

WHEREAS, it has been reported to the Council that despite repeated requests by the Parish's Finance Department, the Sheriff has failed to provide the daily prisoner population data necessary to calculate the amounts owed by the Parish for the Jail expenses of feeding and keeping prisoners and prisoner medical care; likewise, the Sheriff has failed to provide accurate transportation logs for the Parish to calculate and pay the Jail expense of Parish prisoner transportation.

THEREFORE, THE PARISH COUNCIL OF ST. TAMMANY HEREBY RESOLVES to urge and requests, in order to timely and efficiently process all requisite requests for reimbursement associated with the St. Tammany Parish Jail and the transportation of Parish prisoners, that the Sheriff of St. Tammany provide St. Tammany Parish Government with the following:

- 1) No later than the 5<sup>th</sup> day of every month (when the 5<sup>th</sup> falls on a weekend or holiday, the next business day), a certified daily prison population list and count by type (Parish/DOC/Federal) for the previous month;
- 2) No later than the 5<sup>th</sup> day of every month (when the 5<sup>th</sup> falls on a weekend or holiday, the next business day), certified daily transportation logs for Parish inmates listing the inmate name/number, the name(s) of any deputy transporting said inmates, the van number transporting said inmates, the place(s) said inmates were being transported to/from, the time of transport and delivery, and the mileage;
- 3) Expenditure allocation reports each month with totals for the Jail and allocation of said total between the Parish/DOC/Federal;
- 4) Account detail histories for each month with each line for the Jail and allocation between the Parish/DOC/Federal;
- 5) For any maintenance/building related salary costs, the associated payroll and timesheet records;
- 6) For any maintenance/building related supply, repair, rental, service, or capital costs, the associated invoices and check copies;
- 7) For any utility costs, the associated invoices and check copies; and
- 8) Copies of the foregoing, if same has not already been provided, for the period January 1, 2025, through the date of this Resolution.

THE RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, AND THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 6<sup>TH</sup> DAY OF NOVEMBER, 2025, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMEBERS BEING PRESENT AND VOTING.

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JOE IMPASTATO, COUNCIL CHAIR

ATTEST:

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KATRINA L. BUCKLEY, COUNCIL CLERK