

**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW
ETHICS ADJUDICATORY BOARD**

LOUISIANA BOARD OF ETHICS

*** DOCKET NO. 2024-0255-ETHICS-A**

IN THE MATTER OF

KEVIN E. CASMERE

*** AGENCY TRACKING NO. 2022-848**

DECISION AND ORDER

The Louisiana Board of Ethics, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, requested an adjudicatory hearing to have the Ethics Adjudicatory Board determine whether Kevin E. Casmere was required to and knowingly failed to file his 10-P campaign finance disclosure report by the sixth day after it was due and his 10-G campaign finance disclosure report by the eleventh day after it was due, in connection with his 2022 candidacy for the office of Chief of Police, Town of Pearl River, which would allow the Louisiana Board of Ethics to impose an additional civil penalty not to exceed \$10,000 against Kevin E. Casmere for each report pursuant to Louisiana Revised Statutes (La. R.S.) 18:1505.4(A)(4)(a) and (b).

The Louisiana Board of Ethics failed to prove by clear and convincing evidence that Kevin E. Casmere was required to file a 10-P and a 10-G report in connection with his 2022 candidacy for the office of Chief of Police, Town of Pearl River. Because the Louisiana Board of Ethics failed to prove that Kevin E. Casmere was required to file a 10-P and a 10-G campaign finance disclosure report, it is not authorized to impose any additional civil penalty against Kevin E. Casmere pursuant to La. R.S. 18:1505.4(A)(4)(a) and (b).

APPEARANCES

An adjudicatory hearing was conducted May 22, 2025, in Baton Rouge, Louisiana, before

Panel A of the Ethics Adjudicatory Board (EAB).¹ Charles Reeves appeared as counsel on behalf of the Louisiana Board of Ethics (BOE). Although duly noticed, Kevin E. Casmere (Respondent) did not appear for the hearing.²

JURISDICTIONAL AUTHORITY

The EAB is a legislatively created board, as contemplated by Article X, Section 21, of the Louisiana Constitution. The EAB has original jurisdiction under La. R.S. 42:1141.5 to determine whether violations of the Code of Governmental Ethics, La. R.S. 42:1101 *et seq.*, have occurred and to conduct hearings under La. R.S. 18:1505.4 for specific violations of the Campaign Finance Disclosure Act (CFDA), La. R.S. 18:1481 *et seq.*

This adjudication is conducted in accordance with the CFDA, the Code of Governmental Ethics, the Administrative Procedure Act, La. R.S. 49:950 *et seq.*, and the enabling legislation for the Division of Administrative Law, La. R.S. 49:991 *et seq.*

STATEMENT OF THE CASE

The BOE, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, alleged that Respondent triggered the reporting requirement and knowingly failed to file two campaign finance disclosure reports by their statutory deadlines in connection with his 2022 candidacy for the office of Chief of Police, Town of Pearl River.

The BOE requested that the EAB conduct an adjudicatory hearing to determine whether Respondent was required to and knowingly failed to file his 10-P campaign finance disclosure report by the sixth day after it was due, and his 10-G campaign finance disclosure report by the

¹ Panel A of the EAB consists of administrative law judges Cazeline G. Hebert (presiding), Stephanie E. Robin, and Michele L. Staggs.

² On March 21, 2025, the Administrative Hearings Clerk for the EAB mailed a *Notice of Hearing* to Respondent at 134 Windsong Place, Pearl River, Louisiana 70452. Respondent was provided an additional 15 minutes past the scheduled hearing start time but failed to appear.

eleventh day after it was due, which could subject Respondent to an additional civil penalty³ not to exceed \$10,000 for each report, pursuant to La. R.S. 18:1505.4(A)(4)(a) and (b).

The BOE alleged that Respondent was required to file a 10-P and a 10-G campaign finance disclosure report because he received a campaign contribution in excess of \$200, specifically, a rifle donated for a campaign raffle, and that he failed to file those reports with the BOE.

At the hearing, the BOE offered its exhibits, numbered BOE-1 through BOE-11, which were admitted into evidence.⁴ Counsel presented the case on behalf of the BOE, the record was closed, and the matter was taken under advisement for a determination of whether Respondent was required to and knowingly failed to file a 10-P and a 10-G campaign finance disclosure report in violation of La. R.S. 18:1495.4(B)(4), La. R.S. 1495.4(B)(5), and La. R.S. 1495.4(B)(6), which would subject him to additional civil penalties pursuant to La. R.S. 18:1505.4(A)(4)(a) and (b) for each late report.

FINDINGS OF FACT

Respondent qualified to be a candidate for the office of Chief of Police, Town of Pearl River, in a primary election held on November 8, 2022.⁵ Respondent acknowledged that he was subject to the provisions of the CFDA when he signed the qualifying form.⁶ The office of Chief of Police, Town of Pearl River is considered an “any other” level public office.⁷ Respondent did

³ The additional civil penalties would be in addition to automatic daily late fees, pursuant to LA. R.S. 18:1505.4(A)(2)(a)(iii), which, at the time of the hearing, counsel for the BOE reported had not been assessed.

⁴ The BOE’s exhibits include the affidavit of Carolyn Abadie Landry, Executive Secretary for the BOE, and custodian of all records, reports, and files of the BOE, certifying that the “attached exhibits...are a true and correct copy of the records” of the BOE (BOE-1).

⁵ BOE-2.

⁶ *Id.*

⁷ See La. R.S. 18:1483(11) and La. R.S. 18:1484. The EAB notes that the BOE did not submit evidence showing the population of the election district for the office of Chief of Police, Town of Pearl River, which would determine whether it is a “district office.” Because a candidate for a “district office” has automatic filing requirements, and the BOE has not alleged that Respondent had automatic filing requirements, the EAB accepts the BOE’s assertion that the office of Chief of Police, Town of Pearl River is an “any other” level public office for purposes of this *Decision*.

not receive sufficient votes in the primary election to participate in the general election held on December 10, 2022.⁸

In connection with his 2022 candidacy for Chief of Police, Town of Pearl River, the BOE does not allege that Respondent made expenditures in excess of \$2,500.

The BOE alleges that Respondent received a campaign contribution in excess of \$200 in connection with his 2022 candidacy for Chief of Police, Town of Pearl River. The BOE offered the following exhibits: (1) an exhibit identified as “Text message from Evan Smith, indicating that the donated rifle had a value of over \$200”⁹ (text exchange), and (2) an exhibit identified as “Recorded statement of [Respondent], indicating that he received a donation of rifle for campaign raffle”¹⁰ (phone call).

The text exchange appears to be two iMessages printed on a single page.¹¹ The first message appears to have been sent “Yesterday 12:15 PM” with the following text:

Mr. Smith,
This is Greg Thibodeaux with the Board of Ethics. We spoke about a gun raffle you assisted [Respondent] with for his campaign. Could you please respond to this text that you no longer have documents relating to the gun and that you estimate the gun you gave to [Respondent] was worth about \$300.¹²

The second message is a text that appears to be a response to the first message, sent “Today 8:51 AM” with the following text:

I no longer have any paperwork or documents relating to the firearm I donated to [Respondent’s] campaign. I believe its value was around \$354 based on the type of parts I frequently use, although this is a guesstimate. Around \$300 used, and I did use it, would be fair to say.¹³

⁸ BOE-3; BOE-4.

⁹ BOE-8.

¹⁰ BOE-7.

¹¹ BOE-8. *See also* BOE-5, p. 6, which appears to be the same document.

¹² *Id.*

¹³ *Id.*

The phone call was made by Joel Manuel, with the BOE, to Respondent on March 17, 2023. During the phone call, Mr. Manuel introduced himself to Respondent, and Mr. Manuel and Respondent discussed a rifle that was donated to Respondent and used for a campaign raffle. According to the phone call, the rifle was made of damaged or blemished parts that were sold through a website “from time to time.” The phone call did not specify any dates that particular parts were purchased or a date that the rifle was donated. During the phone call, Mr. Manuel stated that he would email a *Subpoena Duces Tecum* (SDT) to Respondent.

The BOE did not call Mr. Thibodeaux, Mr. Smith, Mr. Manuel, or Respondent to testify.

The BOE prepared an SDT, addressed to Respondent, requesting documents covering the period of January 1, 2022, through January 31, 2023.¹⁴

No evidence was offered defining the aggregating period for Respondent’s 2022 candidacy for Chief of Police, Town of Pearl River.

As of February 5, 2025, Respondent had not filed any campaign finance disclosure report with the BOE in connection with his 2022 candidacy for Chief of Police, Town of Pearl River.¹⁵

CONCLUSIONS OF LAW

The BOE failed to prove by clear and convincing evidence that Respondent was required to file either a 10-P or a 10-G campaign finance disclosure report in connection with his 2022 candidacy for Chief of Police, Town of Pearl River. Because the BOE failed to prove that Respondent was required to file a 10-P and a 10-G campaign finance disclosure report, it is not authorized to impose upon Respondent any additional civil penalty in accordance with La. R.S. 18:1505.4(A)(4)(a) and (b).¹⁶

¹⁴ BOE-10.

¹⁵ BOE-9.

¹⁶ La. R.S. 18:1505.4(A)(4)(a) and (b) of the CFDA provides that, if after conducting an adjudicatory hearing, the EAB determines that a candidate knowingly failed to file the required 10-P report, or filed the 10-P report more than

In hearings under the CFDA before the EAB, the BOE must prove by clear and convincing evidence that the candidate was required to and knowingly failed to timely file a required campaign finance disclosure report.¹⁷ Failure to timely file any required report is a violation of the CFDA.¹⁸

The office of Chief of Police, Town of Pearl River, is an “any other” level public office. Every candidate for an “any other” level public office (or the campaign treasurer) is required to file with the BOE campaign finance disclosure reports of contributions and/or expenditures only if he (a) has campaign expenditures in excess of \$2,500, or (b) receives a campaign contribution in excess of \$200 in the aggregate during the aggregating period.¹⁹

Because the office of Chief of Police, Town of Pearl River is an “any other” level public office, Respondent, in connection with his 2022 candidacy, was subject to the campaign finance disclosure reporting requirement if he (a) spent more than \$2,500 on his campaign or (b) received a campaign contribution in excess of \$200 in the aggregate during the aggregating period.

The BOE does not allege that Respondent made expenditures in excess of \$2,500. The BOE contends that Respondent triggered the 10-P and 10-G reporting requirements because he received a campaign contribution in excess of \$200, specifically, a rifle with an alleged value of approximately \$300. The BOE’s contention is not supported by the evidence.

The BOE’s reliance on an undated text exchange as support for its contention that Respondent triggered the CFDA reporting requirements does not rise to the level of clear and convincing. The BOE contends that the text exchange proves that Respondent received a

six days late, and knowingly failed to file the required 10-G campaign finance disclosure report, or filed the report more than eleven days late, then the BOE, functioning as the Supervisory Committee on Campaign Finance Disclosure, may impose upon the candidate additional civil penalties not to exceed \$10,000.00 for each report.

¹⁷ La. R.S. 42:1141.5(C). “‘Clear and convincing evidence,’ in general, means that the fact of guilt must be proven to a greater degree than by ‘a mere preponderance of the evidence’ but less than by ‘beyond a reasonable doubt.’” *Louisiana State Bar Ass’n v. Edwins*, 329 So. 2d 437, 442 (La. 1976).

¹⁸ La. R.S. 18:1505.1(B).

¹⁹ La. R.S. 18:1484.

campaign donation in excess of \$200. The text exchange indicates that Mr. Thibodeaux and Mr. Smith spoke before the text exchange, but the BOE did not offer evidence about any conversations that led to the text exchange. Without context, the text exchange shows only that Mr. Thibodeaux asked Mr. Smith for specific information and that Mr. Smith regurgitated the information back to Mr. Thibodeaux. Specifically, Mr. Thibodeaux asked Mr. Smith to “respond to this text that you no longer have documents relating to the gun and that you estimate the gun you gave to [Respondent] for the raffle was worth about \$300,” and Mr. Smith gave Mr. Thibodeaux what he asked for, included a “**guesstimate**” that the firearm had a value of \$300 (emphasis added).

The BOE did not offer evidence about the paperwork or documents related to the firearm that Mr. Smith seems to have had at some point, or why he no longer has them. The BOE did not offer evidence to show why Mr. Smith is a reliable source for the valuation of a firearm. The BOE did not offer evidence to show the date of any donation or any other details about a donation. The BOE did not call Mr. Thibodeaux or Mr. Smith to offer additional information or context at the hearing. The EAB does not find the text exchange to be credible evidence that Respondent received a contribution in excess of \$200.

The BOE’s reliance on the phone call as support for its contention that Respondent triggered the CFDA reporting requirements likewise does not rise to the level of clear and convincing. Critically, the phone call does not specify a single date of a purchase or donation. Further, the statement in the phone call that the blemished parts are only available “from time to time” opens the possibility that the parts may have been purchased, and the rifle may have been made, during a period that did not coincide with Respondent’s 2022 candidacy for Chief of Police, Town of Pearl River, or that any values assigned to the parts, or to the rifle, may not have been accurate during any period relevant to Respondent’s 2022 candidacy for Chief of Police, Town of

Pearl River. The EAB does not find the phone call to be credible evidence that Respondent received a contribution in excess of \$200 during the relevant time period.

Finally, the BOE did not identify the aggregating period for Respondent's 2022 candidacy for Chief of Police, Town of Pearl River. Because the BOE's SDT limited the period for which it requested documents from January 1, 2022, through January 31, 2023, the EAB accepts that the aggregating period began no earlier than January 1, 2022, and ended no later than January 31, 2023. The BOE failed to present any evidence to show when any campaign donation was made. Therefore, the BOE failed to present any evidence that Respondent received a contribution, of any amount, during the aggregating period in connection with his 2022 candidacy for Police Chief, Town of Pearl River.

The evidence does not support a finding that Respondent received a campaign contribution in excess of \$200 in the aggregate during the aggregating period in connection with his 2022 candidacy for Chief of Police, Town of Pearl River. The BOE failed to present credible evidence to show that Respondent received a contribution in excess of \$200, and it failed to present any evidence of a date that he received any donation. Therefore, the BOE failed to prove by clear and convincing evidence that Respondent was required to and knowingly failed to file a 10-P and a 10-G campaign finance disclosure report in connection with his 2022 candidacy for Chief of Police, Town of Pearl River.

Because the BOE failed to prove that Respondent was required to file 10-P and 10-G campaign finance disclosure reports, it is not authorized to impose against Respondent any additional civil penalty under the authority of La. R.S. 18:1505.4(A)(4)(a) and (b).

ORDER

IT IS ORDERED that the Louisiana Board of Ethics, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, failed to prove by clear and convincing evidence that Kevin E. Casmere was required to file a 10-P or a 10-G campaign finance disclosure report in connection with his 2022 candidacy for Chief of Police, Town of Pearl River.

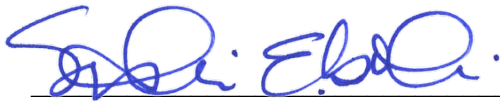
IT IS FURTHER ORDERED that the Louisiana Board of Ethics, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, is not authorized to impose an additional civil penalty against Kevin E. Casmere for failing to file a 10-P campaign finance disclosure report.

IT IS FURTHER ORDERED that the Louisiana Board of Ethics, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, is not authorized to impose an additional civil penalty against Kevin E. Casmere for failing to file a 10-G campaign finance disclosure report.

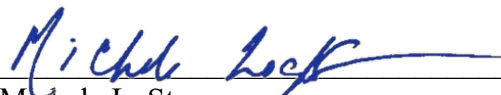
Rendered and signed on July 2, 2025, in Baton Rouge, Louisiana.



Cazeline G. Hebert
Presiding Administrative Law Judge
Ethics Adjudicatory Board, Panel A



Stephanie E. Robin
Administrative Law Judge
Ethics Adjudicatory Board, Panel A



Michele L. Staggs
Administrative Law Judge
Ethics Adjudicatory Board, Panel A

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Thursday, July 03, 2025, I have sent a copy of
this decision/order to all parties of this matter.

REVIEW RIGHTS

This is the final decision of the Ethics Adjudicatory Board. You may seek rehearing or reconsideration of this decision, subject to the grounds for and time limitations provided in Louisiana Revised Statutes 49:977.1. A request for rehearing must be sent to one of the addresses listed below.

EMAIL: EABprocessing@adminlaw.la.gov

FAX: (225) 342-1812

HAND DELIVERY TO:

1020 Florida Street, Baton Rouge, LA 70802

MAIL:

Division of Administrative Law

ATTN: Ethics Adjudicatory Board

P.O. Box 44033

Baton Rouge, LA 70804-4033

You have the right to appeal this decision to the Court of Appeal, First Circuit, in accordance with Louisiana Revised Statutes 42:1142. You must file a written motion for appeal with the Ethics Adjudicatory Board within thirty (30) days after the transmittal of notice of this decision.