

Legal Contact:

Devin Lowell

Supervising Attorney

Tulane Environmental Law Clinic

(504) 862-8814 | dlowell@tulane.edu

PRESS RELEASE

District Court Judge Rules that St. James Parish Violated State Law in Holding Secret Meetings over Proposed Chemical Plant

ST. JAMES PARISH, LA (Jan. 8, 2025): A District Court Judge has ruled that St. James Parish violated the Louisiana Open Meetings Law when, in Spring 2019, parish officials met behind closed doors with representatives of Wanhua, a China-based company, to discuss a proposal to build a chemical plant in the Parish's predominantly Black 4th District. The public was not told about the meeting, which took place less than a week before a Planning Commission vote on the proposal. Although Wanhua subsequently withdrew its plans for the chemical plant, residents say that the Parish's illegal actions are indicative of a larger problem that remains relevant today.

"The secret meeting held by St. James Parish officials to discuss the Wanhua Chemical facility was not just a violation of the Open Meetings Law; it was a betrayal of the very principles of good government and environmental justice," says Sharon Lavigne, founder of Rise St. James, a co-plaintiff on the lawsuit. "I'm pleased that the judge ruled in our favor by declaring St. James Parish violated the law."

Judge John H. Smith of the 23rd Judicial District Court found that the Planning Commission and Parish Council "intentionally structured meetings to avoid a quorum" when they held two back-to-back meetings on May 14, 2019, just six days before the Planning Commission voted to approve Wanhua's application. The vote, originally scheduled for March 25, 2019, was tabled multiple times after local residents publicly expressed opposition to the project. As the judge's ruling notes, the purpose of the Louisiana Open Meetings Law is to ensure "that public business be performed in an open and public manner" so that "citizens can be advised of and aware of the performance of public officials and the deliberations that go into making of public policy." The judge found that the consecutive meetings were a procedural maneuver known as a "walking quorum" and were not covered by exceptions to the Open Meetings Law, including for chance meetings of parish officials. "[T]he meetings were pre-arranged" and "regarded a specific matter... not a casual pizza dinner or other social event," the judge

noted. “[C]itizens of St. James were not afforded the opportunity to be present whilst Wanhua’s application was being discussed by Commission and Council members.”

“We thank god for the judge listening to us,” says Pastor Harry Joseph of Mt. Triumph Baptist Church, a native of St. James Parish and one of the co-plaintiffs on the lawsuit. “We hope that the parish will learn something from this.”

Parish attorneys argued that the meeting did not have to be publicly noticed because a majority of the Commission and Council were not in the same room at the same time, and that the public had been afforded ample opportunity to comment about the project at other meetings. In his court testimony, Blais Gravois, the parish official who arranged the meeting, emphasized that the doors to the meeting room were not locked. The judge was not convinced by these arguments, noting that Mr. Gravois himself had described the meetings as “not open to the public” in his invitation to Commissioners and Council members.

“Plaintiffs here asked that their elected officials have an open, public, and transparent discussion about a matter of great importance to their families and their community,” said Student Attorney Chad Molnar. “We are thrilled the Court not only recognized the right of all Louisiana citizens to be aware of the deliberations of their public bodies but also made clear that it will not tolerate end-arounds of the Open Meeting Law’s vital protections.”

Eve Butler, a native of St. James Parish a co-plaintiff on the lawsuit, is hopeful that the ruling will instigate meaningful change. “I hope that going forward, every resident of St James Parish is able to be informed of the true chemical impact of industry, especially by those elected to consider our interests,” she says. “Although you can buy water, you can't buy health or clean air on the way home.”

For a full statement about the ruling from Rise St. James, please contact Gary Watson at gary@garywatsonllc.com.