

15TH JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE
STATE OF LOUISIANA

NO. _____

DIVISION: _____

IN THE MATTER OF LAFAYETTE CONSOLIDATED GOVERNMENT
TO REDACT HOME ADDRESS OF ITS MAYOR-PRESIDENT JOSHUA S.
GUILLORY

FILED: _____
DEPUTY CLERK

PETITION TO REDACT HOME ADDRESS

NOW INTO COURT, through undersigned counsel, comes LAFAYETTE CONSOLIDATED GOVERNMENT, who moves this Honorable Court to enter an order redacting Mayor-President Joshua S. Guillory's home address from all public records, including, but not limited to, all records with the Lafayette Parish Clerk of Court and the Lafayette Parish Tax Assessor, and avers as follows:

1.

Joshua S. Guillory is the current Mayor-President of Lafayette, Louisiana.

2.

Recently, there have been discussions online among people searching for Guillory's home address from people desiring to appear and "protest" at Guillory's home.

3.

Certain people did, actually, uncover Guillory's address and appeared at his home on August 29, 2020.

4.

One man who appeared at Guillory's home referred to himself as a "professional sh-t starter." He explained he was a "nationally known activist." He came to Lafayette, Louisiana from Minneapolis, Minnesota where he had previously been protesting. He explained he travels all around the country protesting. He stated he was there to make Guillory "very, very uncomfortable" until his demands were met. Not only would he be at Guillory's house, he stated he and other protesters would follow Guillory to church, to dinner with his family, and anywhere Guillory went. He further stated if Guillory did not meet with him, he had a "bunch of company coming down I-10." He further explained he had "pros" that could come from outside the city to protest. He stated, in what one might perceive to be a veiled threat, he intended for the protests to be peaceful, but if



people were not peaceful "y'all deal with them . . . we didn't start this . . . y'all people started this.

5.

A woman who appeared at Guillory's home stated she was there for a "petty party" and intended to make Guillory "uncomfortable." She encouraged others to join her.

6.

Guillory lives with his wife and his minor children. As the foregoing demonstrates, the current public nature of his address subjects Guillory and his family to the risk of abuse and harm.

7.

Guillory has a reasonable expectation of privacy in his home address. He desires for his address to be confidential and redacted from all public records.

8.

"Courts have found good cause exists to redact the home addresses of government employees because of safety concerns."¹

9.

The United States Supreme Court has recognized a public employee has a privacy interest in their home address.² The Court explained, "the privacy of the home . . . is accorded special consideration in our Constitution, laws, and traditions."³ The Louisiana legislature has, likewise, recognized a public employee has a right to privacy in his home address and may request that such information be kept confidential.⁴

10.

Louisiana recognizes a constitutional right to privacy. Article 1, Section 5 of the Louisiana Constitution "expressly prohibits unreasonable invasions of privacy."⁵ It provides, in pertinent part:

Every person shall be secure in his person, property, communications, houses, papers, and effects against unreasonable searches, seizures, or invasions of privacy.⁶

¹ *Scheffler v. City of New Hope*, 2018 WL 6012181, at *2 (D. Minn. 2018).

² *U.S. Dep't of Def. v. Fed. Labor Relations Auth.*, 510 U.S. 487, 500-01 (1994); *see also Scheffler*, 2018 WL 6012181, at *2 ("The United States Supreme Court has recognized the significant interest public employees have in the privacy of their home addresses.").

³ *U.S. Dep't of Def.*, 510 U.S. at 501.

⁴ *See La. R.S. § 44:11(A)(3)*; *see also Local 100, Serv. Employees, Int'l Union v. Smith*, 36,454 (La. App. 2 Cir. 10/23/02), 830 So. 2d 417, 420.

⁵ *Beckett v. Serpas*, 2012-1349 (La. App. 4 Cir. 3/20/13), 112 So. 3d 348, 352.

⁶ La. Const. art. I, § 5.

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Courts have described this constitutional right to privacy "as the right to be let alone and to be free from unnecessary public scrutiny."⁷ The privacy rights protected include "the individual's right to be free from unreasonable intrusion into his seclusion, solitude, or private affairs."⁸

11.

While Louisiana does recognize a right to access public records, codified in the Public Records Act, the constitutional right to privacy "has prevailed over the public's right to know and has protected certain documents and information from disclosure."⁹

12.

Moreover, "[t]he purpose of the [Public Records] Act is to keep the public reasonably informed about how public bodies conduct their business and how the affairs of government are handled."¹⁰ The Louisiana legislature has recognized the addresses of public employees "are not documents that relate to the public's right to learn of governmental affairs and is instead an accommodation of another constitutionally protected interest, the individual's right to privacy."¹¹

13.

Guillory's concern for the safety and protection of his children provides additional grounds for the redaction of his home address.

14.

The Louisiana Supreme Court has allowed parents to redact the address of their family home from public records if necessary for the safety and protection of their children.¹² The Louisiana Supreme Court recognized parents "have a constitutionally protected privacy interest relating to the safety and protection of their children."¹³ The Court explained "[i]f disclosure of certain information would imperil the safety of the . . . children, then the [parent's] interest in keeping this information private would outweigh the public's right of access to this information."¹⁴

15.

In light of recent events, the public nature of Guillory's address imperils the safety of his children.

⁷ *Beckett v. Serpas*, 2012-1349 (La. App. 4 Cir. 3/20/13), 112 So. 3d 348, 352; see also *Copeland v. Copeland*, 2007-0177 (La. 10/16/07), 966 So. 2d 1040, 1046.

⁸ *Angelo Iafrate Const., L.L.C. v. State ex rel. Dep't of Transp. & Dev.*, 2003-0892 (La. App. 1 Cir. 5/14/04), 879 So. 2d 250, 255.

⁹ *Copeland*, 966 So. 2d at 1046.

¹⁰ *Angelo Iafrate Const., L.L.C.*, 879 So. 2d at 260.

¹¹ *Local 100, Serv. Employees, Int'l Union v. Smith*, 36,454 (La. App. 2 Cir. 10/23/02), 830 So. 2d 417, 420

¹² See *id.* (allowing redaction of the name of the children's school and the location of the family home).

¹³ *Id.* at 1047.

¹⁴ *Copeland v. Copeland*, 2007-0177 (La. 10/16/07), 966 So. 2d 1040, 1047-48.



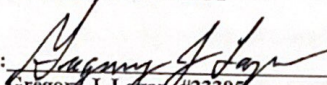
16.

It is within this Court's discretion to order redaction of Guillory's home address from all public records.¹⁵ Considering the foregoing, redaction, here, is warranted.

WHEREFORE, premises considered, Petitioner, LAFAYETTE CONSOLIDATED GOVERNMENT, prays that this Honorable Court order LAFAYETTE MAYOR-PRESIDENT JOSHUA S. GUILLORY's home address be redacted from all public records, including but not limited to all records with the Lafayette Parish Clerk of Court and the Lafayette Parish Tax Assessor.

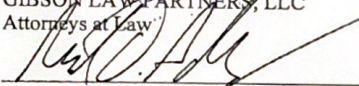
Respectfully submitted,

THE LOGAN LAW FIRM

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Lafayette City-Parish Attorney

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Counsel for Petitioner, JOSHUA S. GUILLORY

Please Serve:

Mr. Conrad Comeaux
Lafayette Parish Assessor
1010 Lafayette St.
Lafayette, LA 70501

Mr. Louis Perrett
Lafayette Parish Clerk of Court
800 S. Buchanan St.
Lafayette, LA 70501

¹⁵ *Id.* at 1044 (explaining the "discretion as to access is one best left to the sound discretion of the trial court").

Krista Delaune



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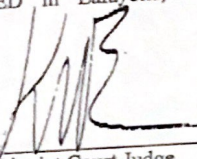
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ORDER TO REDACT

CONSIDERING THE FOREGOING:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that LAFAYETTE
MAYOR-PRESIDENT JOSHUA S. GUILLORY's home address hereby be redacted from all
public records, including, but not limited to, all records with the Lafayette Parish Clerk of Court
and the Lafayette Parish Tax Assessor.

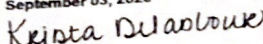
THUS DONE AND SIGNED in Lafayette, Louisiana, this 03 day of
September, 2020.



District Court Judge

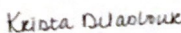
STATE OF LOUISIANA PARISH OF LAFAYETTE

I HEREBY CERTIFY THAT A CERTIFIED COPY
OF THIS ORDER HAS BEEN
MAILED/SERVED ON ALL PARTIES THIS
September 03, 2020



DEPUTY CLERK OF COURT

CC: GREGORY J. LOGAN
MICHAEL O. ADLEY
CONRAD COMEAUX-LAFAYETTE PARISH ASSESSOR (SERVE)
LOUIS PERRET-LAFAYETTE PARISH CLERK OF COURT (SERVE)



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