

November 20, 2020

Deputy Director Sandra Schober,

Please allow this letter to serve as my official statement as requested for your formal investigation of sexual harassment, hostile work environment and/or retaliation committed by Criminal Division Director Pat Magee. As we discussed, it pains me to write this in such a formal way, but given the overall history of my experiences with him as well as recent events, I feel compelled to do so.

After working my way through law school, I passed the bar on my first attempt and struggled to find a job. I moved in with my single mother and got a job waiting tables in the various French Quarter fine dining restaurants at night. After a few months, I was able to move into a house with some friends and make extra money during the day as a notary inside a grocery store kiosk. After doing this for two years, I was finally able to secure a job as an Assistant District Attorney in Orleans Parish. Needless to say, I was humbled by this journey and developed some pretty thick skin.

I was hired by then Attorney General Charles Foti in and have been an Assistant Attorney General ever since. This has been, by far, the best job I have ever had. My first Director was Julie Cullen, then we had Dana Cummings, Kurt Wall and, of course, current United States Attorney Brandon Fremin. And through all the years working here or any other job for that matter, never once did I ever envision myself typing a formal complaint about a supervisor.

When Pat was appointed Criminal Division Director, he had a much different style and approach to the position than previous division directors. While he is gregarious at times and can be a joy to work with, at other times he can be extremely difficult.

I could begin with the first insulting email or snide comment to various attorneys or staff members since Pat Magee came aboard in 2018, but I believe it better to start with the most egregious. For when the first incident happens, it is easy to brush it off because you don't know the second one will happen. By the time you finish rationalizing with yourself that the first incident was not a big deal, you are already dealing with the next incident. You constantly wonder what will happen if and when you finally have the courage to come forward. You wonder what this will do to your career or whether you will still be able to provide for your family in the same way you do now. This is especially true when the person you need to report reminds you over and over how he is close personal friends with the Attorney General. This is not Wal-Mart, this is the Louisiana Department of Justice and when someone is close friends with the most powerful law enforcement officer in Louisiana, coming forward is not an easy decision.

STATE EXHIBIT
18A

I will begin with _____, a former _____ who worked here full time during the day for several years while also working to graduate at the top of her class in law school at night. Then _____ had grown tired of working with Pat and requested a transfer to another division through HR. Pat wanted to fill the role as soon as possible so we had a section chief meeting with Pat, _____ and myself in the large second floor conference room. We were discussing options for her replacement and I brought up _____ for discussion. I had worked with her closely on trial projects and thought she would be a great fit in the role.

Pat proceeded to nix the idea citing how attractive she was, _____ and _____ can attest to his frequent comments on how beautiful he believed _____ to be. He would later express concern to me privately that he would not be able to control himself sexually if she worked that closely with him given that the Operations Manager also serves as the secretary for the Criminal Division Director. I do not know what happened after that meeting but a few weeks later we had an office open up and _____ asked me if she could swap offices. I thought Pat had given me the green light to authorize the swap and told her she could do so.

Later that day, _____ called me crying and distraught telling me she was quitting. She relayed how Pat called her into his office and told her she could not move offices (after she spent several hours moving her things). She proceeded to show him the text message from me authorizing the move and inquired of him why she could not move. According to _____ he then proceeded to berate her and used abusive language. I encourage her to take some time to calm down and contact HR about her experience before deciding to quit.

I assume she did report it to HR because Pat brought it up with me. On multiple occasions Pat told me he would never consider her for the upcoming criminal division attorney spot because he could no longer trust her. Hiring a current _____ after graduating from law school would have been consistent with our decision to promote current criminal division prosecutors _____ and _____ as they too also worked their way up from full time LADOJ _____ and graduated law school through the Southern University Law Center night program. Director Magee claimed he would deny her request because we needed a more experienced attorney to fill that role but it was obvious he did not offer _____ the same opportunity given to _____ and _____ because she complained about him to HR.

This entire series of events surrounding _____ disturbed me to the point of wanting to work elsewhere and I regret not mentioning this until now.

Another instance was my assignment to the _____ case. _____ was indicted by our office for raping a young woman who is the daughter of the _____ The case was receiving media attention and, at the time, appeared to be one which could only be resolved through trial. Pat assigned it to me following the departure of AAG David Weilbaeher and wanted me to select a second chair for the case as is customary in such serious cases. I decided to select AAG _____ a seasoned trial attorney who I frequently went to for advice in sexual assault cases as she

has decades of trial experience and has handled many difficult sex offense cases. When Pat learned of my selection, he disapproved telling me that [redacted] "old and ugly" and that I should pick [redacted] citing how attractive he believed her to be. He indicated that it would be good to have [redacted] a newly licensed attorney with zero trial experience, at the table because the male jurors would want to have sex with her. He indicated she was "very fuck-able" and that I needed to make her second chair for this reason. Not wanting to do this, I decided against appointing any second chair until it was certain the matter would be going to trial. I was ultimately able to resolve this matter through a plea approved by the victim and her family.

Assistant Attorney General [redacted] also reported verbal abuse and indicated to me Pat made a comment one day in her office about [redacted] having multiple "baby daddies" and that Pat had multiple "baby mommas" due to him having cheated on his first wife with his current wife. [redacted] told me this made her feel somewhat dirty and was offended by the remarks. She has since reported this to the designated point of contact.

What caused me to finally come forward was what has been going on with [redacted]. For several months now, Pat has been needling her a certain way about trial stats or guilty pleas in her unit. I would pick up on it in the bi-weekly [redacted] meetings but did not think it was bothering her as much as it was. At some point in early October [redacted] I recounted how he had also been touching her and making inappropriate remarks. The location of the touching was nothing that would be considered criminal in my opinion but I could tell it was making her uncomfortable. She had also been calling me from time to time wondering if I had heard from Pat about whether Pat was considering terminating her. She also recounted how he would send her ugly emails about her job performance or make inappropriate comments to her. She mentioned wanting to quit the office on more than one occasion.

I urged her to report it to HR and to not leave the office because I believe her to be a tremendous asset to our division and that she should not feel this distraught about coming to work.

[redacted] mentioned a meeting with the head of the [redacted] where Pat was present. She informed me that Pat made a comment about [redacted] being an expert on Medicaid fraud but that Pat's experience was limited to "drugs and whores" as the association director stood by seemingly shocked. At this same meeting with the [redacted], Pat also mentioned how he went to law school with [redacted] and used to "hit on her" in law school. [redacted] would later tell me how Pat mentioned having [redacted] replaced with a more attractive female attorney and commented how [redacted] was not as pretty as she was in law school.

After learning of this reprehensible and offensive behavior, I decided there was no other option but to report this to you, the Deputy Director of Administrative Services, the designated point of contact in our sexual harassment policy. I assured [redacted] that if she came forward and reported the harassment, I would also tell HR everything I knew. I reported everything outlined within this letter to you via a phone call on October 19, 2020. [redacted] reported the conduct to you the very next day.

On November 18, 2020, [redacted] called me into her office to discuss something that had just occurred. She indicated Pat Magee confronted her yesterday in her office about the sexual harassment complaint lodged against him. He proceeded to swear her to secrecy and then tried to get her to say that she was not offended by his comments regarding being replaced by someone who is more attractive than she was and that she was not currently as pretty as she was in law school at age 20. [redacted] was very disturbed by the confrontation yesterday and has given me permission to report it to you. I told her that if she gets confronted again by Pat Magee about this breach of confidence that she can throw me under the bus with him (by claiming she told me in confidence). She also stated how Pat remarked about how he liked the pants she was wearing yesterday. Pat also told her during his meeting with you and Chief Deputy Stiles that he inquired whether he would have to disclose complaints filed against him because he was "going places" but that you told him he did not have to disclose because it was not a formal complaint.

I think I am at a point now where I feel duty-bound to file this formal complaint about everything outlined in prior conversations, this letter, and about the confrontation yesterday. You previously told me when we spoke that I should report anything relating to this to you and that is what I am doing. My delay in reporting these incidents was caused by a fear of retaliation. My fear is rooted in his alleged close personal connection to Attorney General Landry; having personally witnessed retaliation against [redacted] and, Director Magee's irascible nature.

Thanking you in advance for your time and attention to this matter,

CONFIDENTIAL
Criminal Division