



Everything New Orleans

The Times-Picayune

Jeff judge seals record on school rape allegation TP barred from identifying teacher

Saturday, August 13, 2005

By Paul Purpura
West Bank bureau

A state district judge in Gretna Friday sealed the record of a civil lawsuit that accuses a former teacher and assistant principal at Crescent City Baptist School in Metairie of raping a juvenile student.

Chief Judge Robert Pitre of the 24th Judicial District Court also barred The Times-Picayune from identifying the teacher or the accuser and her parents.

While judges sometimes seal sensitive portions of court records, it is unusual to allow the complete paperwork of a case to be kept from the public.

The extraordinary level of secrecy was sought by the church.

"The gravity of these allegations could be very detrimental" to the church-run school, said Ginger DeForest, an attorney for Crescent City Baptist Church. In addition to sealing the record, she asked the judge for a gag order barring participants from speaking publicly about the case.

Dawn Marullo, an attorney for the girl's parents, also asked that the record be sealed to prevent the girl's identity from being made public. But she opposed the gag order.

Lori Mince, an attorney for The Times-Picayune, said the newspaper will appeal Pitre's order.

The Times-Picayune generally does not publish the names of rape victims, but it often does identify people accused of rape.

In court, Mince told Pitre that barring The Times-Picayune from reporting the news would amount to a "clear prior restraint" and a violation of the First Amendment, the state's Constitution and "this country's long-standing commitment to open-court proceedings."

Mince suggested that the judge could achieve the court's goals by unsealing the record but omitting the girl's name.

Pitre declined to issue the requested gag order on the participants, siding with the girl's parents, the plaintiffs in the case. The parents are identified only as John and Joan Doe in court documents. The former teacher has not been charged with a crime.

The plaintiffs allege that their daughter, now 16, was a 13-year-old seventh-grader at the school in 2002 when the teacher raped her in a storage room during lunch period and in a science laboratory, according to the lawsuit.

The former teacher has since been fired "due to dishonesty about his academic qualifications and theft," according to documents filed by the plaintiffs that were part of the public record before the judge sealed them.