NewsBank inc.
Times-Picayune (published as The Times-Picayune) - February 1, 2012 - page 5
February 1, 2012 | Times-Picayune (published as The Times-Picayune) | New Orleans, Louisiana | Page 5

CONTINUED

Teenager was getting dress for ROTC ball

CAR ACCIDENT, *from A-1*

"Kristina was a quiet servant leader, but she didn't need to be recognized for it," said Ponchatoula High Assistant Principal Mary Beth Crovetto. "She was just happy to be a part of what was (happening) on campus."

Barnard was driving the 2003 Ford Focus in the westbound passing lane of I-12 shortly before the 8 p.m. wreck. Investigators think she briefly turned around, veered left and overcorrected to the right, based on statements given by the passengers, State Police spokesman Trooper Nick Manale said.

The car rotated, crossed both westbound lanes and ran off the highway. Barnard's door slammed into the northern tree line.

Everyone in the car wore seat belts; however, Barnard died on the scene. First responders transported Sasha Steel, 18, and an unidentified 16-year-old to a pair of medical centers in Covington for treatment.

"It was just a minor distraction, for a second, that caused the driver to drift left," Manale said. "The severity of that collision was not survivable."

Since age 9, Barnard had been in foster care, and three years ago she was placed in the home of Ponchatoula residents Johnny and Tammy Swindle.

Tammy Swindle said she and her husband wanted to help an underprivileged, promising child gain admission into a university, and social workers the couple spoke to knew Barnard aspired to get a degree.

Barnard understood foster situations could be challenging, Swindle remarked, but the teen swore she would succeed with support. The Swindles soon adopted her, and the parents explained: "Kristina fit in with our family so quickly. She said she felt at home right away."

The daughter held up her end of the pact. Barnard got A's and B's in school. There, she joined Interact, a service organization sponsored by the local Rotary club. As part of her duties, Assistant Principal Crovetto said, Barnard collected goods for food banks; distributed dictionaries donated to third-graders, also showing the children how to use them; and volunteered to work charity groups' booths at events such as the Ponchatoula Strawberry Festival.

Barnard enrolled in a paramedicine-immersion program, pursuing an industry-based certification in that field by riding in ambulances for a certain number of hours. Lately, she had been dreaming of attending Louisiana State, Southeastern Louisiana or Ohio State universities and becoming either a nurse practitioner or social worker.

"She was the one everybody expected would make it," Tammy Swindle said.

Despite all of the activities vying for her attention, Barnard loved the ROTC at Ponchatoula High the most. She practiced and competed with the program's unarmed drill team, which performs precision formation marching. She held the post of platoon guide and directed her subordinates' training, among only six out of 152 cadets to do so, said her instructor, Gunnery Sgt. Ira Brown.

"She never had a bad day," Brown remembered. "She was happy."

Barnard earned ribbons citing her student leadership, civic service, excellence in drill, and for attending a boot camp hosted by the Marine Corps Recruit Depot in Parris Island, S.C.

The gala she was out shopping for was just 11 days away on the evening of her death. A letter jacket honoring her drill-team participation arrived at the school's facilities hours later.

Brown, sighing, said, "Every time I look over to her assigned classroom seat, and she's not there, it will hit me like a ton of bricks. ... (She) brought everyone around her up."

.....

Ramon Antonio Vargas can be reached at rvargas@timespicayune.com or 985.645.2848.

Judge has cited St. Bernard for contempt six times

ST. BERNARD, *from A-1*

a statement released Tuesday. "When a local government puts up discriminatory barriers, as St. Bernard Parish has, it violates the law."

"We will use our enforcement tools to break down such barriers and ensure that people have housing choice free of discrimination," he added.

Nearly all of St. Bernard's housing was swamped by Katrina floodwaters and the parish has in turn experienced the most dramatic population decline of any in the state, according to the 2010 census. Its population still remains 47 percent below its 2000 figure of 67,229 residents, and swaths of its storm-ravaged landscape still are ripe for rebuilding.

Spearheaded by the Greater New Orleans Fair Housing Action Center, the parish has been sued multiple times since Katrina over housing and land-use decisions. Since just March 2009, U.S. District Judge Ginger Berrigan has issued six contempt motions against St. Bernard for violating federal Fair Housing laws, in connection with housing and zoning decisions.

About a year ago today, the U.S. Department of Housing and Urban Development filed an internal complaint against the parish that focused broadly on zoning ordinances the Parish Council had passed in December 2009 that eliminated most multifamily housing as a permitted use. At that time, Bryan Greene, general deputy assistant secretary in HUD's fair housing department, said it could result in a referral to the Department of Justice.

After HUD warned it would block federal money for the parish — and possibly for the state — if the Parish Council did not rescind the zoning ordinances, St. Bernard repealed them in April. But legal struggles continued in federal court, mainly over four 72-unit mixed-income apartment complexes in Chalmette that developers had been attempting to build since 2008.

In her fifth contempt ruling in October, Berrigan stated that the parish's continued blocking of the four Provident Realty Advisors apartments buildings is intentionally discriminatory against African-Americans by "doggedly (attempting) to preserve the pre-Katrina demographics" of the parish.

In late December, Berrigan ordered St. Bernard to issue occupancy permits to the apartments or the parish would be fined $50,000 a day. The parish quickly did so, and residents began moving into the complexes this month.

But now the Department of Justice is seeking a general court order that would prevent the parish from making unavailable or denying housing on the basis of race, and require the parish to take actions to prevent any similar discriminatory conduct in the future. The lawsuit also seeks a civil penalty, and monetary damages for people harmed by the parish's actions.

In May, U.S. Secretary of Housing and Urban Development Shaun Donovan told a Times-Picayune reporter that the Department of Justice was investigating eight complaints filed by individuals who say they were discriminated against based on the 2009 St. Bernard ordinances.

"We continue to be disturbed by a pattern of resistance" to fair housing in St. Bernard, Donovan said at the time. "If the Department of Justice believes there's enough of a pattern (of racial discrimination) there for a case to be brought, they will do that," he added.

The Justice lawsuit is in part based on 10 resident and homeowner complaints filed with HUD between March 2008 and September 2011, each alleging St. Bernard's actions violated the Fair Housing Act.

And Jan. 20, HUD also officially referred its complaint about the discriminatory nature of the now-repealed zoning ordinances to the Department of Justice, according to a Justice statement released Tuesday. The statement says that the Fair Housing Act authorizes it to enforce allegations of discriminatory zoning or land use practices by a local government.

Also in a statement released Tuesday, U.S. Attorney Jim Letten noted that the Department of Justice "is committed to ensuring that everyone in our community — regardless of race, color or national origin — enjoys the equal protection of our Constitution and our laws, as well as the absolute right to live in any community of their choosing without discrimination."

John Trasvina, HUD's assistant secretary for Fair Housing and Equal Opportunity, added that the Justice complaint shows that both departments "are working together to eradicate housing discrimination."

"Our agencies will not allow zoning or other exclusionary means to deny housing because of race," Trasvina said.

.....

Benjamin Alexander-Bloch can be reached at bblochl@timespicayune.com or 504.826.3321.

'Tolls are double taxation, and it's time for that to end'

TOLLS, *from A-1*

held placards that said, "Stop the tolls," at a town hall meeting in Marrero attended by seven task force members.

Created by the state Legislature, the task force voted 7-1 on Jan. 20 to urge lawmakers to extend the tolls before they expire at the end of the year.

Without the tolls, the bridge's budget would be slashed from $27 million to about $5 million, forcing wholesale cutbacks and a dependence on the underfunded state transportation department to pick up the slack, according to the group's report.

"If the tolls stop, somebody has to come up with the funds to provide the services we already get," task force member Glenn Orgeron said. "It's a quality of life issue."

But many of those in attendance scoffed at the notion that toll payers have enjoyed "enhanced services."

"I know you are worried about losing services, but you can't lose what you never had," state treasurer John Kennedy said.

In calling for the tolls to end, Kennedy cited state transportation department figures that show just 19 cents of every toll dollar is spent on maintaining and policing the bridge.

"Tolls are a user fee, not a tax. When you pay a user fee, you're supposed to get an equal amount of services back from the government," he said. "But if you pay $1 in tolls, you don't get $1 in services, you get 19 cents back."

Orgeron disputed that the toll, which is $1 for those paying cash and 40 cents for those with electronic toll tags, amounts to a tax.

"I'm a conservative. I'm a Republican. I'm not for taxes," Orgeron said. "If the toll was $7 like on the Golden Gate Bridge, that would be a tax. But 40 cents, in our view, is a reasonable user fee."

Task force member Michael Teschiwerth, who cast the lone dissenting vote, drafted a minority opinion that said if the tolls expire, the remaining $5 million would be enough to cover basic bridge services, including policing, lighting and landscaping. He said the state should pay to maintain the CCC as it does for all other Mississippi River bridges.

"We were promised that when the bridge was paid off, the tolls would go away," Teschiwerth said, noting that the last payment on bonds for the second span will be made before the end of the year. "We expect that promise to be kept."

Opposition to the tolls has been fueled by a series of bridge audits in recent years that documented poor planning and wasteful spending, including paying a $4 million annual premium for an insurance policy deemed unnecessary and a recently completed $3.8 million addition to the bridge's Algiers offices that could sit empty if the tolls are not renewed.

Task force member Rick Logsdon said the group's report recommends restructuring the bridge administration with greater oversight from top-level state transportation officials. The report also includes a plan to privatize the ferries, with the goal of reducing the subsidy from bridge tolls to $1 million.

"Not one of us would have voted for this if it were for the status quo," Legendre said.

Legendre also pointed out that the group's recommendation includes $150 million in bond revenue for the road projects that were never completed.

"I don't want to walk away from all those projects we were promised," he said.

After a show of hands revealed that all but a few of those in attendance opposed the tolls, State Rep. Pat Connick, R-Harvey, faulted the task force for not seeking public input as it prepared its report at 14 meetings since July.

"You want to take these folks' money?" he said. "Come talk to them and give them a reason why."

Dennis C. Foltz of Terrytown said tollpayers haven't gotten much of a return on their collective $21 million investment each year.

"I've heard people say the toll amounts to a couple Starbucks' coffees a month," he said. "Well, I'd like to know how many Starbucks franchises you could build if all $21 million went to the West Bank."

.....

Paul Rioux can be reached at prioux@timespicayune.com or 504.826.3785.

PHOTOS BY TED JACKSON / THE TIMES-PICAYUNE

Board members Richard Legendre and Pamela Lormand-Bilolous chat while Glenn Orgeron, left, and Brian Helden, right, listen to toll opponents' comments during a town hall meeting Tuesday. The task force voted 7-1 on Jan. 20 to urge lawmakers to extend the tolls before they expire at the end of 2012.

Charles Cousin holds up a sign and voices his opinion during a town hall meeting Tuesday. More than 150 people attended the meeting at West Jefferson Medical Center.

Bonhams 1793

Auction Appraisal Event

Jewelry
Silver
February 9
New Orleans

Found in New Orleans, sold in New York for $32,400
A diamond and sapphire necklace

Sold for $26,250
A Danish sterling silver oval two handled centerpiece, Georg Jensen Silversmithy, post 1945

Bonhams specialists will be visiting New Orleans to offer complimentary auction estimates with a view to selling at upcoming auctions in New York, San Francisco and Los Angeles.

By appointment only
713 855 7452
amy.lawch@bonhams.com

International Auctioneers and Appraisers · **bonhams.com/houston**
©2012 Bonhams & Butterfields Auctioneers Corp. All rights reserved Bond No. 57BSAM2NB

© This entire service and/or content portions thereof are copyrighted by NewsBank and/or its content providers.