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In nurse's fatal shooting on Bourbon Street, video surveillance system emerges as key issue

BY MATT SLEDGE | STAFF WRITER JUL 5, 2019 - 2:00 PM



New Orleans Police Department investigate a shooting on the 400 block of Bourbon street in New Orleans, early Sunday, Feb. 24, 2019
Advocate Staff photo by SOPHIA GERMER

Matt Sledge

A New Orleans public defender this week raised questions about the removal of a Bourbon Street restaurant's surveillance system, casting it as an attempt to block the investigation of a nurse's shooting death.

Orleans Public Defenders staff attorney Leon Roche claimed at a court hearing Monday that Willie's Chicken Shack may have obstructed justice by having an outside firm remove a video recording system that was in place on the night of 36-year-old Julie Couvillon's death in February.

The allegation drew a furious reaction from a lawyer for the fast-food restaurant, who denied that there was any conspiracy to derail the homicide probe.

"We can look for the shooter on the grassy knoll anywhere we want, but it's just not there," said Stephen Collins.

In the end, ad hoc Criminal District Court Judge Dennis Waldron said Roche and his client, Louis Barnes, are entitled to a copy of the video from inside the restaurant if it exists — though whether it does is unclear.

The video recording system's path from the restaurant to the New Orleans Police Department was a tangled one, which raised a detective's suspicions about whether Willie's Chicken Shack was withholding evidence to protect itself from civil liability, a police report shows.



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Couvillon was shot to death near the restaurant in the 400 block of Bourbon about 3:15 a.m. on Feb. 24. Also wounded were a 23-year-old security guard and Barnes, a 37-year-old convicted sex offender.

Prosecutors said an investigation revealed that the armed security guard was trying to kick Barnes out of the restaurant at the moment Couvillon walked past. The guard's gun went off during a struggle, striking Couvillon in the neck.

The District Attorney's Office charged Barnes with manslaughter in Couvillon's killing, attempted second-degree murder in the injuring of the guard and illegal gun possession. Prosecutors said they determined that they could not prove the specific intent to kill required for a murder charge.

Barnes has denied pulling the trigger, pointing the finger at the security guard as the shooter. Although crime cameras on the street caught part of Barnes' struggle with the guard, surveillance footage from the restaurant might be the best evidence of what really happened.

Soon after the shooting, Detective Bruce Brueggeman was told that there was no video from inside the restaurant. A spokesperson for the restaurant later told media outlets that an internet outage had prevented a camera from recording. But weeks after the shooting, a private investigator named Joe Miceli called Brueggeman to tell him that his company had obtained the video surveillance system's hard drive, creating a new subplot in his investigation.

Miceli is a former NOPD homicide detective who works for Terrell Miceli Investigations in Slidell. He told Brueggeman that a separate private firm had been hired to "recover" surveillance video from the hard drive, according to a police report.

Brueggeman said that someone at Miceli's company needed to find out "immediately" if the video showed the shooting incident. He went on to tell Miceli, according to the police report, that he was "concerned that (Miceli's) client may be withholding video surveillance from the police" to protect the restaurant from a civil lawsuit.

Miceli told Brueggeman that he was working for Willie's Chicken Shack. But according to the detective's report, the restaurant's manager denied hiring a private investigator.

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Brueggeman obtained a search warrant for TMI's offices in Slidell. When he went there, owner Terrell Miceli told him that the company was actually working for the DeutschKerrigan law firm, which had been hired by Willie's Chicken Shack to represent it. Miceli said his company had been hired to document the transfer of the video recording system's hard drive from the restaurant to the law firm.

Ultimately, DeutschKerrigan handed the video recording hard drive to Brueggeman. The firm said it had not yet hired a company to try to retrieve any relevant video.

It's not clear whether the Police Department has since obtained useful video from the hard drive, but on Monday Roche said the restaurant's employees engaged in a "conspiracy and obstruction of justice ... when they misrepresented the truth ... rather than giving (the video system) to the police and to the public."

"Why else" would Willie's remove the video recorder hard drive, Roche asked, "unless it is their security guard who's shown on that footage shooting?"

Roche sought a wide range of materials under his subpoena request, including the video, communications between Willie's Chicken Shack and DeutschKerrigan, and records related to the security guard, who was employed by a private security company.

Assistant District Attorney Sarah Dawkins dismissed most of the requests as a "fishing expedition."

"Defense counsel is trying to make this a case about the civil liability of Willie's Chicken Shack, when in reality it is about the criminal culpability of Louis Barnes," she said.



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Meanwhile, Collins said he was shocked at Roche's accusations.

"The is the first time ... where I've had a defense attorney accuse one of the oldest and most respected law firms in the country of obstruction in a murder investigation ... there's just no evidence of that, your honor, and it's offensive even to suggest it," he said.

Waldron agreed that many of the subpoena requests were too broad. However, he did say that Roche could obtain a subpoena for the surveillance video, if it exists.

Terrell Miceli, of the private investigation firm, said his company cooperated fully with the police. Brueggeman was simply "following procedure" when he obtained a search warrant for his company's office, Miceli said.

"Everything we did was well above board and in a professional manner," he said. "(Roche) can say what he wants."

Editor's Note: This article was updated on Saturday, July 7 to clarify TMI's role in the hard drive transfer.



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