

STATE OF LOUISIANA

SIXTEENTH JUDICIAL DISTRICT COURT

PARISH OF ST. MARY

STATE OF LOUISIANA

v.

CAROLINE HARRIS

CASE NO.: 2025-215897

SECTION: 6

AΩ - In Nomine Patris et Filii et Spiritus Sancti

EMERGENCY MOTION FOR PROTECTIVE ORDER REGARDING COMPETENCY EVALUATION

NOW INTO COURT, through undersigned counsel, comes **Reverend David Lucito**, Next Friend of Defendant Caroline Harris, and respectfully moves this Honorable Court to issue a Protective Order establishing safeguards for any competency evaluation, including requirements for videotaping, Next Friend presence, and prohibition on use of compelled statements.

I. GROUNDS

This Motion is filed pursuant to the Fifth Amendment (privilege against self-incrimination), La. C.E. art. 404 (evidence of other crimes or acts), La. C.Cr.P. art. 641-648 (mental capacity proceedings), and the Due Process Clause of the Fourteenth Amendment.

II. MEMORANDUM IN SUPPORT

A. RISK OF COERCED AND CONTAMINATED EVALUATION

Any competency evaluation will occur while Defendant is:

- In custody (inherently coercive environment)
- Under threat of continued detention
- Without voluntary ability to refuse participation
- Under effects of ongoing targeting (Havana Syndrome/DEW exposure)

These conditions render any statements COMPELLED, not voluntary.

Legal Authority:

- Statements made during psychiatric evaluation can be used against defendant at trial, creating Fifth Amendment concerns. *Estelle v. Smith*, 451 U.S. 454 (1981).
- Defendant must be warned that statements can be used against her. *Id.*
- Court-appointed evaluators (Dr. Verret, Dr. DeLand, or others) are trained in:
 - Traditional psychiatric diagnosis using DSM-5-TR
 - Assessment of endogenous (internal) mental illness

They likely **lack training** in:

- Directed energy weapon effects
- Havana Syndrome assessment
- Electromagnetic targeting phenomena
- Compelled conduct from external technological sources

This creates risk of misdiagnosis by attributing externally-caused phenomena to internal pathology. The DSM-5-TR (2022) specifically states:

> "Individuals with psychosis may incorporate modern technologies (e.g., Wi-Fi, surveillance cameras, microchips, artificial intelligence, government tracking) into their delusional systems. This reflects culturally available content rather than evidence of external cause."

This creates a self-sealing diagnostic trap:

- If Defendant reports technological targeting → Labeled "delusion"
- If Defendant provides evidence → Labeled "elaborate delusional system"
- If Defendant protests → Labeled "lack of insight"

Evaluators using this framework cannot fairly assess whether Defendant's reports are accurate.

B. PROTECTIVE MEASURES ARE NECESSARY AND APPROPRIATE

Purpose:

- Creates record of evaluation process
- Prevents mischaracterization of Defendant's statements
- Allows defense to assess evaluator bias or improper questioning
- Standard practice in many jurisdictions for forensic evaluations

Precedent:

- Courts have authority to order recording of forensic evaluations. See, e.g., various state practices requiring recording of custodial interrogations.

Purpose:

- Next Friend can observe for coercion or bias
- Provides support for Defendant during inherently stressful evaluation
- Ensures Defendant's rights are protected in real-time
- Next Friend can object to improper or misleading questions

Authority:

- Defendant has right to assistance of counsel/Next Friend during proceedings that affect liberty interests
- Competency evaluation determines whether Defendant will face trial → significant liberty interest

Purpose:

- Statements made during competency evaluation are for limited purpose (assessing competency)
- Should NOT be used to prove guilt at trial
- Creates unconstitutional incentive to self-incriminate

Authority:

- *Estelle v. Smith*, 451 U.S. 454 (1981) (psychiatric testimony based on court-ordered examination violates Fifth Amendment if used against defendant at trial)
- La. C.E. art. 404 (evidence of other acts generally inadmissible)

C. ALTERNATIVE: INDEPENDENT EVALUATION BY QUALIFIED EXPERT

If the Court is inclined to proceed with competency evaluation, Defendant requests:

1. **Independent evaluator** selected by defense, not State

2. **Evaluator qualified in:**

- Directed energy weapon effects
- Havana Syndrome assessment
- Electromagnetic targeting phenomena
- **Forensic Integrity Assessment of Targeted Individual (FIA-TI)** methodology

3. **Evaluation framework:**

- NOT based solely on DSM-5-TR
- INCLUDES assessment of external technological causation
- USES DSM-DFTH (Directed Force, Targeting, and Human Integrity) framework

III. RELIEF SOUGHT

WHEREFORE, Defendant respectfully requests that this Court issue a PROTECTIVE ORDER providing:

1. **VIDEOTAPING:** Any competency evaluation shall be videotaped in its entirety, with copies provided to defense;
2. **NEXT FRIEND PRESENCE:** Next Friend [Name] shall be present during all evaluation sessions;
3. **MIRANDA-STYLE WARNING:** Before evaluation begins, Defendant shall be warned:
 - That statements can potentially be used against her

- That she has right to refuse to answer specific questions
- That she has right to consult with Next Friend before answering
- 4. **PROHIBITION ON TRIAL USE:** No statements made during competency evaluation may be introduced at trial on the merits without separate court order after adversarial hearing;
- 5. **SCOPE LIMITATION:** Evaluation shall be limited to competency determination and shall not inquire into facts of alleged offense;
- 6. **ALTERNATIVE RELIEF:** In the alternative, appoint independent evaluator qualified in DEW/Havana Syndrome effects and FIA-TI methodology; and
- 7. **GRANT** any other relief this Court deems just and proper.

Respectfully submitted,

Reverend David Lucito
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Emergency Motion for Protective Order was served upon the St. Mary Parish District Attorney's Office by [method of service] on this 21 day of March, 2026.

Reverend David Lucito

Reverend David Lucito
Edward J. Lucito