DA: Boys’ deaths may help change DWI prosecutions

Sixth-time drunk driving offender facing 90 years in prison after manslaughter conviction.

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DA or LA 61.0

VILLE PLATTE James Christopher Pierce knew the routine for a drunk driving conviction when he got in his car on May 3, 1997, after drinking the better part of a 12-pack of beer. He had pleaded guilty to the offense five times before.

What he didn’t know was the routine for manslaughter.

That night, Pierce ran over three children who were riding their bicycles. Two of them were killed — Joshua Deville, 30, and his brother, Tyler, 7. The third child, Patrick Neal Fontenot, who was now 12, was critically injured.

—Last week— Pierce was found guilty of DWI third offense, two counts of manslaughter and one count of first degree vehicular negligent injury. He could receive as much as 90 years in jail.

A sentencing date has not been set.

The question that haunts the Deville family is how Pierce had gotten through the system so many times only to be back behind the wheel drunk.

“If he had been in jail my boys would be alive right now,” said Lee Deville, the boys’ father.

At 8:30 p.m. on the day of the accident, Pierce lost control of the 1989 Chevrolet Celebrity he was driving on Giant Road near Pine Prairie. The boys were riding their bikes down the road and took cover in a ditch when they heard the car coming but were unable to avoid being struck by the oncoming vehicle.

According to state records and the Evangeline Parish District Attorney’s Office, Pierce had five previous drunk driving convictions dating back to 1984 when he killed the Deville brothers.

While the large number of convictions Pierce has collected is unusual, officials with Louisiana Mothers Against Drunk Driving in Baton Rouge said the incidents of repeat offenders who kill is not unusual.

“It’s much more common than one might think,” said Dan DiLallo, Evangeline Parish Director Catherine Morgan Childers. “We see dozens through our office each year.

But that could change with the Pierce conviction.

The district is believed to be the first time a third offense DWI has been used to convict someone for manslaughter — a move that effectively doubles the amount Time a defendant must serve.

“Too often the boys are going to change the laws in the state of Louisiana and ensure that other little boys won’t lose their lives in the future,” said Evangeline Parish Sheriff Brent Coreil.

According to Louisiana law, a person who is involved in the negligent death of another can also be tried for manslaughter.

The maximum sentence for manslaughter combined with third offense (felony) DWI is 45 years. Prior to this time the best that could be handed down was 20 years for a negligent homicide and the DWI.

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“It will help by making a few of them stop and think. But we have seen, with most multiple offenders, the only way to stop them is to make sure they are in jail,” Childers said.

Officials with MADD have been contacting district attorneys across the state to make them aware of the new tactic and say they plan to begin a public relations drive to spread the word.

The parents of the Deville boys said the change in prosecuting the law has helped them with the loss of their sons.

“This is history being made,” said Cynthia Deville, the boy’s mother.

Even with a new tool to fight the problem, the difficulty of stopping repeat offenders remains.

Childers said the availability to access the information on an offender’s past is most of the problem.