

## House Committee on Administration of Criminal Justice

Minutes of Meeting  
2021 Regular Session  
May 4, 2021

### **I. CALL TO ORDER**

Representative Edward C. "Ted" James, II, chairman of the House Committee on Administration of Criminal Justice, called the meeting to order at 9:00 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Edward C. "Ted" James, II, chairman  
Representative Tony Bacala, vice chairman  
Representative Marcus Anthony Bryant  
Representative Bryan Fontenot  
Representative Jonathan Goudeau, I  
Representative Frederick Douglass Jones  
Representative C. Denise Marcelle  
Representative Joseph A. Marino, III  
Representative Markham Scott McKnight  
Representative Nicholas Muscarello, Jr.  
Representative Richard James Nelson  
Representative Alan Seabaugh  
Representative Debbie Villio

#### **MEMBERS ABSENT:**

None

#### **STAFF MEMBERS PRESENT:**

A. Gregory Riley, attorney  
Sadie Becnel, attorney  
Stephanie Weinman, committee administrative assistant

#### **ADDITIONAL ATTENDEES PRESENT:**

Janet Anthony, sergeant at arms

Zachary Gonzalez, attorney  
Jayde Daniel, clerk

### **III. DISCUSSION OF LEGISLATION**

#### **House Bill No. 106 by Representative Carpenter**

Representative Carpenter presented House Bill No. 106, which provides relative to pleas of guilty or nolo contendere in felony cases.

Bruce Reilly, Voice of the Experienced, 1221 Kerlerec St., New Orleans, LA 70116, (512) 695-7519, spoke in support of House Bill No. 106.

On behalf of Representative Carpenter, Representative James offered an amendment to specify that failure to adhere to proposed law shall not be considered to affect the rights of the accused and does not constitute grounds for reversal pursuant to present law. Representative James offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives James, Bacala, Bryant, Fontenot, Goudeau, Jones, Marcelle, Marino, McKnight, Seabaugh, and Villio voted yea.

Kurt Wall, 21<sup>st</sup> JDC District Attorney's Office, no address provided, (225) 686-3070, spoke for information only on House Bill No. 106.

Representative James offered a motion to report House Bill No. 106 with amendments. Without objection, House Bill No. 106 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives James, Bacala, Bryant, Fontenot, Goudeau, Jones, Marcelle, Marino, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 29 in support, 5 in opposition, and 2 for information only. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 17 in support. Copies of these statements are included in the committee records.

#### **House Bill No. 33 by Representative Stagni**

Representative Stagni presented House Bill No. 33, which provides relative to time limitations for certain offenses against juveniles.

Darren Allemand, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70053, (504) 368-1020, spoke in support of House Bill No. 33.

Representative Villio offered a motion to report House Bill No. 33 favorably. Without objection, House Bill No. 33 was reported favorably by a vote of 10 yeas and 0 nays. Representatives James, Bacala, Bryant, Jones, Marcelle, Marino, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support. Witness cards are included in the committee records.

### **House Bill No. 70 by Representative Thomas**

Representative Thomas presented House Bill No. 70, which provides relative to amendment of petitions in delinquency proceedings.

On behalf of Representative Thomas, Representative James offered amendments to:

- (1) Make technical changes to the citations.
- (2) Change terminology from "delinquency proceedings" to "certain juvenile proceedings".
- (3) Amend present law provisions to align with proposed law by adding grounds for amending a petition and requiring the courts to consider certain factors in determining whether a child has been prejudiced in his defense.
- (4) Remove from present law the court's ability to dismiss a petition on its own motion.

Representative James offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives James, Bacala, Bryant, Fontenot, Jones, Marcelle, Marino, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Darren Allemand, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70053, (504) 368-1020, spoke in support of House Bill No. 70.

Rachel Gassert, Louisiana Center for Children's Rights, 1100-B Milton St., New Orleans, LA 70122, (504) 323-5717, spoke in opposition to House Bill No. 70.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, no address provided, (504) 343-7175, spoke in opposition to House Bill No. 70.

Representative Seabaugh offered a motion to report House Bill No. 70 with amendments. Without objection, House Bill No. 70 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives James, Bacala, Fontenot, Goudeau, Jones, Marcelle, Marino, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support. Witness cards are included in the committee records.

**House Bill No. 497 by Representative DuBuisson**

Representative DuBuisson presented House Bill No. 497, which provides for a referendum election in St. Tammany Parish regarding riverboat gaming.

On behalf of Representative DuBuisson, Representative James offered an amendment in the form of a substitute bill. Representative James offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 9 yeas and 0 nays. Representatives James, Bacala, Fontenot, Jones, Marcelle, Marino, McKnight, Nelson, and Seabaugh voted yea.

Chris Masingil, St. Tammany Corporation, 21489 Koop Dr., Suite 7, Mandeville, LA 70471, spoke in support of House Bill No. 497.

Lacey Osborne, St. Tammany Chamber, no address provided, (985) 502-3216, spoke in support of House Bill No. 497.

Bonnie Eades, Northshore Business Council, P.O. Box 781, Mandeville, LA 70471, (985) 707-8277, spoke in support of House Bill No. 497.

Louis Ochoa, St. Tammany Chamber, 61 Inlet Dr., Slidell, LA 70458, (985) 290-5225, spoke in support of House Bill No. 497.

Eric McVicker, 603 Tops L Dr., Mandeville, LA 70448, (202) 674-2337, spoke in support of House Bill No. 497.

Joshua P. Clayton, Clayton Law Firm, 1120 Zachary Dr., Slidell, LA 70458, (985) 640-7658, spoke in opposition to House Bill No. 497.

Dr. Will Hall, Louisiana Baptist Office of Public Policy, 1250 MacArthur Dr., Alexandria, LA 71309, (318) 449-4348, spoke in opposition to House Bill No. 497.

Danielle Clayton, 103 Willow Wood Dr., Slidell, LA 70461, (225) 603-5379, spoke in opposition to House Bill No. 497.

Lisa Clayton, 1022 Forest Ridge Loop, Pearl River, LA 70452, (985) 863-8727, spoke in opposition to House Bill No. 497.

Camille Thompson, 405 Rustling Pine Dr., Slidell, LA 70458, (985) 649-0216, spoke in opposition to House Bill No. 497.

David Ziegler, 117 Oak Downs Dr., Pearl River, LA 70452, (985) 774-0905, spoke in opposition to House Bill No. 497.

Chandler Goltz, 1057 Lakeshore Blvd., Slidell, LA 70461, (214) 500-9379, spoke in opposition to House Bill No. 497.

Randy Bogett, Thompson Road Baptist Church, 4350 Canal St., Slidell, LA 70458, (985) 768-9605, spoke in opposition to House Bill No. 497 and provided a handout, Exhibit A, which is included in the committee records.

Morris St. Angelo, Slidell Ministers Association, 213 S. Midland Bluff Ct., Slidell, LA 70461, (985) 788-6312, spoke in opposition to House Bill No. 497.

John Raymond, Lakeside Christian Academy, 3401 Pontchartrain Dr., Slidell, LA 70458, (985) 768-9640, spoke in opposition to House Bill No. 497 and provided a handout, Exhibit B, which is included in the committee records.

Mike Noel, Louisiana Gaming Control Board, 7909 Independence Blvd., Baton Rouge, LA 70806, (225) 925-1496, spoke for information only on House Bill No. 497.

Representative Marcelle offered a motion to report House Bill No. 497 by substitute, to which Representative Marino objected. The administrative assistant called the roll, and House Bill No. 497 was reported by substitute by a vote of 8 yeas, 2 nays, and 1 abstention. Representatives Bacala, Bryant, Fontenot, Goudeau, Jones, Marcelle, McKnight, and Nelson voted yea. Representatives Marino and Villio voted nay. Representative James abstained.

Witness cards submitted by individuals who did not speak are as follows: 6 in support and 14 in opposition. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in opposition. Copies of these statements are included in the committee records.

### **House Bill No. 67 by Representative Landry**

Representative Landry presented House Bill No. 67, which repeals certain prostitution-related offenses.

Lakesha Harris, Women with a Vision, 1226 N. Broad St., New Orleans, LA 70119, (504) 301-0428, spoke in support of House Bill No. 67. Women with a Vision provided two handouts which are included in the committee records.

Christine Lobre, Women with a Vision, 1226 N. Broad St., New Orleans, LA 70119, (504) 251-2930, spoke in support of House Bill No. 67.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, no address provided, Baton Rouge, LA, (504) 343-7175, spoke in support of House Bill No. 67.

Aniya Robinson, ACLU of Louisiana, P.O. Box 56157, New Orleans, LA 70156, (504) 522-0617, spoke in support of House Bill No. 67.

Andrew Lewis, Greater New Orleans Hospitality and Tourism Task Force, 2819 Pine St., New Orleans, LA 70125, (509) 842-4309, spoke in support of House Bill No. 67.

Amira Barakat Al-Baladi, Sex Workers Against Criminalization, 204 Avenue E., Kentwood, LA 70444, (313) 451-5444, spoke in support of House Bill No. 67.

Desiree Jones, Women with a Vision, 103 Kingston Ct., New Orleans, LA 70131, (312) 970-6007, spoke in support of House Bill No. 67.

Wendi Cooper, 1226 N. Broad St., New Orleans, LA 70119, (504) 261-5581, spoke in support of House Bill No. 67.

Ariel Quinn, 1304 Frenchmen St., New Orleans, LA 70116, (504) 717-0756, spoke in support of House Bill No. 67.

RaMalika Imhotep, Southerners on New Ground New Orleans, 7829 Belfast St., New Orleans, LA 70125, (404) 324-6275, spoke in support of House Bill No. 67.

Julie Schwam Harris, 1208 Pine St., New Orleans, LA 70118, (504) 865-7569, spoke in support of House Bill No. 67.

Marissa Bosley, Louisiana Reform, 4949 Stumberg Ln., Apt. 142, Baton Rouge, LA 70816, (225) 620-7712, spoke in support of House Bill No. 67.

Zachary Kirwood, 2844 Baronne St., New Orleans, LA 70115, spoke in support of House Bill No. 67.

Allie Beth, 2319 Gov Nicholls St., New Orleans, LA 70116, spoke in support of House Bill No. 67.

Nicole Gomez, 2457 N. Tonti St., New Orleans, LA 70117, (602) 505-5380, spoke in support of House Bill No. 67.

Katie Hunter-Lowrey, Louisiana Survivors for Reform, 1024 Elysian Fields Ave., New Orleans, LA 70117, (504) 535-4912, spoke in support of House Bill No. 67.

Melissa Flournoy, Louisiana Progress Action, 650 N. Sixth St., Baton Rouge, LA 70802, (225) 936-7200, spoke in support of House Bill No. 67.

Dr. Markalain Dery, 330 Julia St., New Orleans, LA 70130, (504) 343-4914, spoke in support of House Bill No. 67.

Laurel LaVine, 810 Piety St., New Orleans, LA 70119, (530) 277-9862, spoke in support of House Bill No. 67.

Amanda Sanfilippo, 204 Avenue E., Kentwood, LA 70444, (504) 949-6028, spoke in support of House Bill No. 67.

Bruce Reilly, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, (504) 758-9420, spoke in support of House Bill No. 67.

Maxwell Ciardullo, Louisiana Fair Housing Action Center, 1340 Poydras St., Suite 710, New Orleans, LA 70112, spoke in support of House Bill No. 67.

Frances Gill, New Orleans Democratic Socialists, 1467 N. Galvez St., New Orleans, LA 70119, (425) 753-5997, spoke in support of House Bill No. 67.

Stacey Lunin, 1226 N. Broad St., New Orleans, LA 70119, (504) 717-0756, spoke in support of House Bill No. 67.

Hilary McQuie, Crescent Care Health Center, 1631 Elysian Fields Ave., New Orleans, LA 70117, (510) 333-8554, spoke in support of House Bill No. 67.

Marika Maypop, 1720 Ursulines Ave., New Orleans, LA 70116, (850) 502-7412, spoke in support of House Bill No. 67.

Jessie Nieblas, Louisiana Foundation Against Sexual Assault, 2133 Silverside Dr., Ste. A, Baton Rouge, LA 70121, (225) 372-7401, spoke for information only on House Bill No. 67.

Amanda Tonkovich, New Orleans Family Justice Center, 701 Loyola Ave., Ste. 201, New Orleans, LA 70113, (504) 503-0872, spoke for information only on House Bill No. 67.

Dr. Will Hall, Louisiana Baptist Office of Public Policy, 1250 MacArthur Dr., Alexandria, LA 71309, (318) 449-4348, spoke in opposition to House Bill No. 67.

John Raymond, Bridge Radio, 3401 Pontchartrain Dr., Slidell, LA 70458, (985) 768-9640, spoke in opposition to House Bill No. 67.

Sheri Lochridge, Covenant House, 611 N. Rampart St., New Orleans, LA 70112, (504) 584-1107, spoke in opposition to House Bill No. 67.

Diane Amos, Free Nola, P.O. Box 56506, New Orleans, LA 70156, (504) 621-5544, spoke in opposition to House Bill No. 67.

Glory Blankenship, Purchased: Not for Sale, 6302 Canal Blvd., Shreveport, LA 71108, (918) 605-2909, spoke in opposition to House Bill No. 67.

Kathleen Benfield, Louisiana Family Forum, 655 St. Ferdinand St., Baton Rouge, LA 70802, (225) 344-8533, spoke in opposition to House Bill No. 67.

Patricia Mosley, National Center on Sexual Exploitation, 1201 F St. NW, Washington, D.C. 20004, spoke in opposition to House Bill No. 67.

Caitlen Macias, World Without Exploitation, 2635 NW 26<sup>th</sup> Cir., Boca Raton, FL 33431, (561) 414-1863, spoke in opposition to House Bill No. 67.

Natasha Guynes, HER Resiliency Center, 5614 Connecticut Ave. NW #164, Washington, D.C. 20015, (202) 531-4828, spoke in opposition to House Bill No. 67.

Representative Bryant offered a motion to report House Bill No. 67 favorably, to which Representative Fontenot objected. Representative Bryant withdrew his motion to report House Bill No. 67 favorably.

Representative Bacala offered a motion to involuntarily defer action on House Bill No. 67. Representative Bacala withdrew his motion to involuntarily defer action on House Bill No. 67.

Representative James offered a motion to voluntarily defer action on House Bill No. 67. Without objection, action on House Bill No. 67 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives James, Bacala, Bryant, Fontenot, Goudeau, Marcelle, Marino, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 107 in support and 18 in opposition. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 6 in support and 20 in opposition. Copies of these statements are included in the committee records.

*Representative Bacala in the chair.*

**House Bill No. 652 by Representative Glover**

Representative Glover presented House Bill No. 652, which provides relative to penalties for possession of marijuana.

Peter Robins-Brown, Louisiana Progress Action, 650 N. 6<sup>th</sup> St., Baton Rouge, LA 70802, (504) 256-8196, spoke in support of House Bill No. 652.

John Nickelson, 7591 Fern Ave., Ste. 1403, Shreveport, LA 71105, (318) 678-5786, spoke in support of House Bill No. 652.

*Representative James in the chair.*

Tabatha H. Taylor, councilwoman for Shreveport City Council District A, 5714 Woodridge Dr., Shreveport, LA 71119, (318) 751-0847, spoke in support of House Bill No. 652.

Representative Seabaugh offered an amendment to change "shall" to "may" with respect to the enforcement by use of summons in lieu of custodial arrest. Representative Seabaugh offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas and 0 nays. Representatives James, Bacala, Bryant, Fontenot, Goudeau, Jones, Marcelle, Seabaugh, and Villio voted yea.

Representative Bacala offered an amendment to:

- (1) Restore present law penalties for first convictions of possession of marijuana of 14 grams or less.
- (2) Provide that present law penalties of a fine of not more than \$300 or imprisonment in the parish jail for not more than 15 days, or both, for the possession of 14 grams or less apply to second and subsequent convictions.

Representative Bacala offered a motion to adopt the proposed amendment, to which Representative Marcelle objected. The administrative assistant called the roll, and the amendment was adopted by a vote of 7 yeas and 5 nays. Representatives Bacala, Fontenot, Goudeau, Marino, Muscarello, Seabaugh, and Villio voted yea. Representatives James, Bryant, Jones, Marcelle, and Nelson voted nay.

Representative Marcelle offered a motion to report House Bill No. 652 with amendments. Without objection, House Bill No. 652 was reported with amendments by a vote of 12 yeas and 0 nays.

Representatives James, Bacala, Bryant, Fontenot, Goudeau, Jones, Marcelle, Marino, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 18 in support. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 6 in support. Copies of these statements are included in the committee records.

### **House Bill No. 401 by Representative Green**

On behalf of Representative Green, Representative James presented House Bill No. 401, which provides relative to the purchase of lottery tickets.

Paul Rainwater, Intralot, 5117 Cheneau Lane, Baton Rouge, LA 70808, (225) 281-8176, spoke in support of House Bill No. 401.

Rose Hudson, Louisiana Lottery Corporation, 555 Laurel St., Baton Rouge, LA 70802, spoke for information only on House Bill No. 401.

Representative James offered a motion to report House Bill No. 401 favorably, to which Representative Villio objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 2 yeas, 9 nays, and 1 abstention. Representatives Bryant and Jones voted yea. Representatives Bacala, Fontenot, Goudeau, Marino, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted nay. Representative James abstained.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 6 in opposition. Witness cards are included in the committee records.

### **IV. OTHER BUSINESS**

There was no other business.

### **V. ANNOUNCEMENTS**

Chairman James announced that House Bill Nos. 254, 402, 479, and 490 would be carried over to the meeting on Wednesday, May 5, 2021. (House Rule 14.24(A))

### **VI. ADJOURNMENT**

The meeting was adjourned at 2:20 p.m.

Respectfully submitted,

Chairman Edward C. "Ted" James, II  
House Committee on Administration of Criminal Justice