

**House Committee on Administration of Criminal Justice**

Minutes of Meeting  
2021 Regular Session  
May 5, 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 9:06 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 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:**

Zachary Gonzalez, attorney

Janet Anthony, sergeant at arms  
Jayde Daniel, clerk

### III. DISCUSSION OF LEGISLATION

#### **House Bill No. 265 by Representative Brass**

Representative Brass presented House Bill No. 265, which provides relative to penalties for unlawful use of an unmanned aircraft system.

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

- (1) Make technical changes to the citations.
- (2) Add critical infrastructure, grain elevators, and grain storage facilities to the meaning of "targeted facility".
- (3) Change penalties for a second or subsequent offense.

Representative James offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives James, Bacala, Fontenot, Goudeau, Jones, Marino, Nelson, Seabaugh, and Villio voted yea.

Jeffrey L. Hirsch, St. Charles Parish and FBI New Orleans, 2901 Leon C. Simon Blvd., New Orleans, LA 70126, (504) 816-3091, spoke for information only on House Bill No. 265.

R. George Rey, Sr., InfraGard and AUVSI, 3712 Lake Aspen Dr. W, Gretna, LA 70056, (504) 908-8784, spoke for information only on House Bill No. 265 and provided handouts, Exhibit A, which are included in the committee records.

Representative Marino offered an amendment to reinstate present law penalties for a first offense. Representative Marino 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, Marino, Nelson, Seabaugh, and Villio voted yea.

Representative Marino offered a motion to report House Bill No. 265 with amendments. Without objection, House Bill No. 265 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives James, Bacala, Bryant, Fontenot, Goudeau, Marino, 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. 479 by Representative Villio**

On behalf of Representative Villio, Representative James offered a motion to voluntarily defer action on House Bill No. 479, which provides with respect to diminution of sentence and parole eligibility. Without objection, action on House Bill No. 479 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives James, Bacala, Bryant, Fontenot, Goudeau, Marino, Nelson, Seabaugh, and Villio voted yea.

**House Bill No. 490 by Representative Duplessis**

On behalf of Representative Duplessis, Representative James offered a motion to voluntarily defer action on House Bill No. 490, which provides relative to parole eligibility for certain persons. Without objection, action on House Bill No. 490 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives James, Bacala, Bryant, Fontenot, Goudeau, Marino, Nelson, Seabaugh, and Villio voted yea.

**House Bill No. 583 by Representative Fontenot**

On behalf of Representative Fontenot, Representative Bacala presented House Bill No. 583, which adds the crime of false imprisonment while armed with a dangerous weapon to the list of crimes of violence.

Lora Bufford, P.O. Box 362, Gonzales, LA 70737, (225) 390-2209, spoke in support of House Bill No. 583.

Representative Goudeau offered a motion to report House Bill No. 583 favorably. Without objection, House Bill No. 583 was reported favorably by a vote of 8 yeas and 0 nays. Representatives James, Bacala, Fontenot, Goudeau, Marino, Muscarello, Nelson, and Seabaugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 7 in opposition. Witness cards are included in the committee records.

**House Bill No. 127 by Representative Thomas**

Representative Thomas presented House Bill No. 127, which creates the crime of submitting false statements and false or altered documents in unclaimed property claims.

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

- (1) Specify that the term of imprisonment is with or without hard labor.

(2) Make technical changes.

Representative James offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives James, Bacala, Bryant, Fontenot, Goudeau, Marino, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Kathleen Lobell, Louisiana Department of Treasury, 1051 N. 3<sup>rd</sup> St., Baton Rouge, LA 70802, (225) 219-9377, spoke for information only on House Bill No. 127.

Tony Ligi, Louisiana Department of Treasury, 900 N. 3<sup>rd</sup> St., Baton Rouge, LA 70802, (504) 289-3023, spoke for information only on House Bill No. 127.

Representative Bacala offered a motion to report House Bill No. 127 with amendments. Without objection, House Bill No. 127 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives James, Bacala, Fontenot, Goudeau, Marino, Muscarello, Nelson, and Seabaugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in opposition. Witness cards are included in the committee records.

### **House Bill No. 11 by Representative Thomas**

Representative Thomas presented House Bill No. 11, which creates the crime of infliction of serious injury or death on a road user and provides for penalties.

Glenn C. McGovern, American Bikers Active Towards Education of Louisiana, 1117 Bonnabel Blvd., Metairie, LA 70005, (504) 456-3610, spoke in support of House Bill No. 11.

Denise Amoroso, 12336 Lake Sherwood Ave. S, Baton Rouge, LA 70816, (225) 229-9972, spoke in support of House Bill No. 11.

Shalon Bourque, 121 S. Main St., Church Point, LA 70525, (337) 693-5062, spoke in support of House Bill No. 11.

Denean LeBouef, 4820 Cleary Ave., Metairie, LA 70002, (504) 239-9455, spoke in support of House Bill No. 11.

Jason L. Ordoyne, 2025 St. Mary St., Thibodaux, LA 70301, (985) 413-1877, spoke in support of House Bill No. 11.

Sherrie Umali, 405 Maryland Dr., Luling, LA 70070, (504) 342-9659, spoke in support of House Bill No. 11.

On behalf of Representative Thomas, Representative James offered a motion to voluntarily defer action on House Bill No. 11. Without objection, action on House Bill No. 11 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives James, Bryant, Fontenot, Jones, Marcelle, Marino, Muscarello, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 3 in opposition. Witness cards are included in the committee records.

### **House Bill No. 15 by Representative Mack**

Representative Mack presented House Bill No. 15, which provides for the crime of staging of a motor vehicle collision.

On behalf of Representative Mack, Representative Villio offered amendments to:

- (1) Redefine the elements of staging a motor vehicle collision.
- (2) Add staging a motor vehicle collision and aggravated staging of a motor vehicle collision as elements of the crime of racketeering activity.
- (3) Make technical changes.

Representative Villio offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives James, Bryant, Jones, Marcelle, Muscarello, Nelson, Seabaugh, and Villio voted yea.

David Caldwell, Louisiana Department of Insurance, 1702 N. 3<sup>rd</sup> St., Baton Rouge, LA 70802, (225) 772-8011, spoke for information only on House Bill No. 15.

Representative Villio offered a motion to report House Bill No. 15 with amendments. Without objection, House Bill No. 15 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives James, Bryant, Jones, Marcelle, Marino, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 8 in opposition. Witness cards are included in the committee records.

*Representative Marino is in the chair.*

**House Bill No. 222 by Representative Stefanski**

On behalf of the Louisiana State Police, Representative Stefanski presented House Bill No. 222, which provides relative to certain sex offenses against minors.

On behalf of Representative Stefanski, Representative Marino offered an amendment to specify that video voyeurism occurs when proposed law is done for a lewd or lascivious purpose. Representative Marino offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 8 yeas and 0 nays. Representatives James, Bryant, Goudeau, Marino, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Heather Owens, Louisiana State Police, 4185 Viking Dr., Bossier City, LA 71111, (318) 741-2721, spoke for information only on House Bill No. 222.

Representative Villio offered a motion to report House Bill No. 222 with amendments. Without objection, House Bill No. 222 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Bryant, Fontenot, Goudeau, Jones, Marcelle, Marino, Muscarello, Nelson, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 1 for information only. Witness cards are included in the committee records.

**House Bill No. 238 by Representative Moore**

Representative Moore presented House Bill No. 238, which creates the crimes of felony and misdemeanor intentional exposure to a sexually transmitted disease.

On behalf of Representative Moore, Representative Marino offered a motion to voluntarily defer action on House Bill No. 238. Without objection, action on House Bill No. 238 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives 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: 25 in opposition. Witness cards are included in the committee records.

**House Concurrent Resolution No. 5 by Representative McCormick**

Representative McCormick presented House Concurrent Resolution No. 5, which suspends criminal penalties for emergency order violations.

Dr. Will Hall, Louisiana Baptist Office of Public Policy, 1250 MacArthur Dr., Alexandria, LA 71309, (318) 449-4348, spoke in support of House Concurrent Resolution No. 5.

Gene Mills, Louisiana Family Forum, 655 St. Ferdinand St., Baton Rouge, LA 70802, spoke in support of House Concurrent Resolution No. 5.

*Representative James is in the chair.*

Woody Jenkins, 910 N. Foster Dr., Baton Rouge, LA 70806, (225) 921-1433, spoke in support of House Concurrent Resolution No. 5.

Jeff Wittenbrink, 331 St. Ferdinand St., Baton Rouge, LA 70802, (225) 308-6850, spoke in support of House Concurrent Resolution No. 5.

Claston Bernard, P.O. Box 2201, Gonzales, LA 70707, (225) 454-7184, spoke in support of House Concurrent Resolution No. 5.

Representative Seabaugh offered a motion to report House Concurrent Resolution No. 5 favorably, to which Representative Jones objected. The administrative assistant called the roll, and House Concurrent Resolution No. 5 was reported favorably by a vote of 7 yeas and 4 nays. Representatives Fontenot, Goudeau, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted yea. Representatives James, Bryant, Jones, and Marino voted nay.

Witness cards submitted by individuals who did not speak are as follows: 15 in support, 1 in opposition, and 1 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: 22 in support. Copies of these statements are included in the committee records.

### **House Bill No. 395 by Representative Romero**

Representative Romero presented House Bill No. 395, which provides relative to the unlawful posting of criminal activity.

Representative Villio offered a motion to report House Bill No. 395 favorably. Without objection, House Bill No. 395 was reported favorably by a vote of 11 yeas and 0 nays. Representatives James, Bryant, Fontenot, Goudeau, Jones, Marino, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

**House Bill No. 254 by Representative Nelson**

Representative Nelson presented House Bill No. 254, which provides relative to parole eligibility for juvenile offenders.

Representative Nelson offered an amendment to make technical changes. Representative Nelson offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives James, Fontenot, Goudeau, Jones, Marino, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Andrew Hundley, Louisiana Parole Project, no address provided, (337) 831-2066, spoke in support of House Bill No. 254.

Matthew Pineda, Louisiana Parole Project, 1984 Brightside Dr., Baton Rouge, LA 70820, (985) 707-3466, spoke in support of House Bill No. 254.

Deborah Hailey, 12574 Chardin Pl., St. Louis, MO 63128, (314) 922-1030, spoke in support of House Bill No. 254.

Jill Pasquorella, Louisiana Center for Children's Rights, 1100-B Milton St., New Orleans, LA 70122, (504) 400-5255, spoke in support of House Bill No. 254.

Preston Shipp, Campaign for the Fair Sentencing of Youth, 1319 F St. NW, Ste. 303, Washington, DC 20004, (615) 604-3506, spoke in support of House Bill No. 254.

Christi Cheramie, Louisiana Parole Project, no address provided, (225) 428-1016, spoke in support of House Bill No. 254.

Don Allison, Louisiana Parole Project, 1328 Audubon Ave., Baton Rouge, LA 70806, (225) 937-5926, spoke in support of House Bill No. 254.

Shon Williams, Louisiana Center for Children's Rights, 1100-B Milton St., New Orleans, LA 70122, (504) 657-0162, spoke in support of House Bill No. 254.

Louis Gibson, Louisiana Parole Project, 251 Florida St., Ste. 400, Baton Rouge, LA 70801, (504) 722-7409, spoke in support of House Bill No. 254.

Ivy Mathis, Voice of the Experienced, 251 Florida Blvd., Baton Rouge, LA 70801, (225) 954-4598, spoke in support of House Bill No. 254.

Kristen Rome, Louisiana Center for Children's Rights, 1100-B Milton St., New Orleans, LA 70115, (504) 382-6690, spoke in support of House Bill No. 254.



Charlotte Fauchian, 4<sup>th</sup> JDC District Attorney's Office, 400 St. John St., Monroe, LA 71201, (318) 388-4566, spoke in opposition to House Bill No. 254.

Ashleigh Fletcher, 204 Rosewood St., West Monroe, LA 71292, (318) 450-5479, spoke in opposition to House Bill No. 254.

Catalene Theriot, Voices of Innocent Citizens Empowered, P.O. Box 10201, New Iberia, LA 70562, (337) 571-5008, spoke in opposition to House Bill No. 254.

Kelly Suire, Voices of Innocent Citizens Empowered, P.O. Box 81605, Lafayette, LA 70598, (337) 288-0552, spoke in opposition to House Bill No. 254.

Darren Allemand, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70053, (504) 368-1020, spoke in opposition to House Bill No. 254.

Seth Shute, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70053, (504) 368-1020, spoke in opposition to House Bill No. 254.

Chad Pitre, St. Landry Parish District Attorney's Office, 231 S. Union St., Opelousas, LA 70570, (337) 351-1838, spoke in opposition to House Bill No. 254.

Bradley R. Burget, Concordia Parish district attorney, 4001 Carter St., Room 9, Vidalia, LA 71373, (318) 336-5526, spoke in opposition to House Bill No. 254.

Billy Joe Harrington, 10<sup>th</sup> JDC district attorney, P.O. Box 838, Natchitoches, LA 71458, (318) 357-2214, spoke in opposition to House Bill No. 254.

Elizabeth Pranley Pence, 3717 Clifford Dr., Metairie, LA 70002, (504) 214-8697, spoke in opposition to House Bill No. 254.

Judy Whittington, 108 Huntington Dr., Ferriday, LA 71334, (318) 757-9205, spoke in opposition to House Bill No. 254.

Nathan Allbritton, 801 RLN Private Dr., Mansfield, LA 71052, (318) 663-9885, spoke in opposition to House Bill No. 254.

Loren Lampert, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke in opposition to House Bill No. 254.

Bo Duhé, 16<sup>th</sup> JDC district attorney, 300 Iberia St., New Iberia, LA 70560, (337) 369-4420, spoke in opposition to House Bill No. 254.

Rémy Starns, Louisiana Public Defender Board, 301 Main St., Ste. 700, Baton Rouge, LA 70825, (225) 219-9305, spoke for information only on House Bill No. 254.

Representative Nelson offered a motion to voluntarily defer action on House Bill No. 254. Without objection, action on House Bill No. 254 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives James, Bacala, Bryant, Fontenot, Goudeau, Jones, Marino, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 27 in support and 13 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. Copies of these statements are included in the committee records.

### **House Bill No. 166 by Representative Fontenot**

Representative Fontenot presented House Bill No. 166, which provides relative to drug-related overdoses.

Representative Fontenot offered amendments to:

- (1) Add that immunity from prosecution, charges, or penalties does not apply when an individual has been revived three or more times for a drug-related overdose.
- (2) Add that no prosecution for possession of a controlled dangerous substance under the Uniform Controlled Dangerous Substances Law is allowed unless the district attorney offers an individual the opportunity to participate in a drug court program.

Representative Fontenot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives James, Bacala, Fontenot, Goudeau, Jones, Marino, McKnight, Muscarello, Seabaugh, and Villio voted yea.

Sheriff Craig Webre, Lafourche Parish, 200 Canal Blvd., Thibodaux, LA 70302, (985) 448-2111, spoke in support of House Bill No. 166.

Anthony Bosco, Louisiana Commission on HIV, AIDS, and Hepatitis C, 832 W. Johnson Dr., Baton Rouge, LA 70802, (225) 266-2087, spoke in opposition to House Bill No. 166.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 504 Lakeland Dr., Baton Rouge, LA 70802, (504) 343-7175, spoke in opposition to House Bill No. 166.

*Representative Marino in the chair.*

Katie Hunter-Lowrey, Louisiana Survivors for Reform, 1024 Elysian Fields Ave., New Orleans, LA 70117, (504) 535-4912, spoke in opposition to House Bill No. 166.

Michael Cahoon, The Promise of Justice Initiative, 1024 Elysian Fields Ave., New Orleans, LA 70117, (504) 529-5955, spoke in opposition to House Bill No. 166.

Dr. Mark Alan Dery, 330 Julia St., New Orleans, LA 70130, (504) 343-4914, spoke in opposition to House Bill No. 166.

Alison Gaye, 2401 D'Abadie St., New Orleans, LA 70119, (504) 507-0051, spoke in opposition to House Bill No. 166.

*Representative James in the chair.*

Representative Villio offered a motion to report House Bill No. 166 with amendments. Representative Villio withdrew her motion to report House Bill No. 166 with amendments.

Representative James offered a motion to voluntarily defer action on House Bill No. 166. Without objection, action on House Bill No. 166 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives James, Bacala, Bryant, Goudeau, Jones, Marino, McKnight, Nelson, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 25 in opposition. Witness cards are included in the committee records.

### **House Bill No. 402 by Representative Jones**

Representative Jones presented House Bill No. 402, which provides relative to habitual offenders.

Loren Lampert, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke for information only on House Bill No. 402.

Representative Jones offered a motion to report House Bill No. 402 favorably. Without objection, House Bill No. 402 was reported favorably by a vote of 9 yeas and 0 nays. Representatives James, Bacala, Bryant, Goudeau, Jones, Marino, McKnight, Nelson, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 20 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: 1 in support. Copies of these statements are included in the committee records.

**IV. OTHER BUSINESS**

There was no other business.

**V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

The meeting was adjourned at 2:30 p.m.

Respectfully submitted,

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