

## House Committee on Administration of Criminal Justice

Minutes of Meeting  
2022 Regular Session  
April 6, 2022

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

Representative Tony Bacala, vice chairman of the House Committee on Administration of Criminal Justice, called the meeting to order at 9:35 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Tony Bacala, vice chairman  
Representative Marcus Anthony Bryant  
Representative Bryan Fontenot  
Representative Raymond E. Garofalo, Jr.  
Representative Jonathan Goudeau, I  
Representative C. Denise Marcelle  
Representative Joseph A. Marino, III  
Representative Danny McCormick  
Representative Scott McKnight  
Representative Nicholas Muscarello, Jr.  
Representative Richard James Nelson  
Representative Alan Seabaugh  
Representative Debbie Villio

#### **MEMBERS ABSENT:**

None

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

Katie LeLeux, attorney  
Zachary Gonzalez, attorney  
Stephanie Weinman, committee administrative assistant

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

Janet Anthony, sergeant at arms

Michael McCain, clerk  
Bella Taylor, clerk  
Angela McKnight, sergeant at arms

### III. DISCUSSION OF LEGISLATION

#### **House Bill No. 52 by Representative Hollis**

Representative Hollis presented House Bill No. 52, which creates the crime of unwarranted video surveillance of residential property.

On behalf of the author, Representative Bacala offered amendments to:

- (1) Make technical changes;
- (2) Change the elements to include that a person needs to have intent to harass, intimidate, or cause emotional distress when committing this offense;
- (3) Insert the term "person" in place of "neighbor" or "owner"; and
- (4) Establish a presumption of a reasonable expectation of privacy for a person located within a backyard of a residential property surrounded by fencing, enclosure, or other barrier constructed for the purpose of obstructing the view from a public or private roadway, walkway, or from another residential property.

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

Representative Bacala offered an amendment to define the crime as the purpose of publishing the video on social media. Representative Bacala offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Bacala, Bryant, Fontenot, Garofalo, Goudeau, Marcelle, McCormick, McKnight, Seabaugh, and Villio voted yea.

***Further action was taken by the committee on House Bill No. 52 at a later point in the meeting. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 52.***

**House Bill No. 742 by Representative Bishop**

Representative Bishop presented House Bill No. 742, which provides relative to fuel sales requirements and amenity requirements for qualified truck stop facilities.

Ryan Templet, Louisiana Video Gaming Association, 218 Laurel St., Baton Rouge, LA 70801, spoke in support of House Bill No. 742.

Representative Marcelle offered a motion to report House Bill No. 742 favorably. Without objection, House Bill No. 742 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bacala, Bryant, Fontenot, Garofalo, Goudeau, Marcelle, McCormick, McKnight, Muscarello, Nelson, 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. 492 by Representative Fontenot**

Representative Fontenot presented House Bill No. 492, which provides relative to the issuance of a summons by a peace officer.

Representative Fontenot offered an amendment to provide relative to the proposed law exception for when a written summons shall not be issued, that the misdemeanor offense and felony offense arise from the same offense. Representative Fontenot offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Bacala, Bryant, Fontenot, Garofalo, Goudeau, Marcelle, McCormick, McKnight, Muscarello, Nelson, and Villio voted yea.

Representative Fontenot offered an amendment to add the present law crime of battery of a dating partner to the proposed law exception to the issuance of a summons by an officer. Representative Fontenot offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Bacala, Bryant, Fontenot, Garofalo, Goudeau, Marcelle, McCormick, McKnight, Muscarello, Nelson, and Villio voted yea.

Sarah Whittington, Justice and Accountability Center of Louisiana, 4035 Washington Ave., Ste. 203, New Orleans, LA 70125, (504) 322-4050, spoke in opposition to House Bill No. 492.

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. 492.

Representative Villio offered a motion to report House Bill No. 492 with amendments, to which Representative Marcelle objected. The administrative assistant called the roll, and House Bill No.

492 was reported with amendments by a vote of 10 yeas and 2 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, McCormick, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted yea. Representatives Bryant and Marcelle voted nay.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 3 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. 508 by Representative Gregory Miller**

Representative Gregory Miller presented House Bill No. 508, which provides relative to notification when an inmate convicted of a violent or sexual offense is scheduled to be released.

On behalf of the author, Representative Bacala offered amendments to:

- (1) Make technical changes;
- (2) Change the entity responsible for notification of an offender's release from the board of pardons or committee on parole to the Department of Public Safety and Corrections; and
- (3) Change the time period for notification from 30 days to 60 days.

Representative Bacala offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, Marcelle, Marino, McCormick, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Chad Becnel, 13350 Old Dutchtown Ave., Gonzales, LA 70737, (504) 273-3061, spoke in support of House Bill No. 508.

Doreen Landry, 546 Apple St., Norco, LA 70078, (504) 559-3535, spoke in support of House Bill No. 508.

Brandi Melissa, P.O. Box 1171, Baton Rouge, LA 70820, (225) 721-1715, spoke in support of House Bill No. 508.

Representative Garofalo offered a motion to report House Bill No. 508 with amendments. Without objection, House Bill No. 508 was reported with amendments by a vote of 12 yeas and 0 nays.

Representatives Bacala, Fontenot, Garofalo, Goudeau, Marcelle, Marino, McCormick, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support and 1 for information only. Witness cards are included in the committee records.

### **House Bill No. 817 by Representative Mike Johnson**

On behalf of the author, Representative Fontenot presented House Bill No. 817, which provides relative to the composition of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice.

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. 817.

Representative Marcelle offered a motion to report House Bill No. 817 favorably. Without objection, House Bill No. 817 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bacala, Fontenot, Garofalo, Marcelle, Marino, McCormick, 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. 409 by Representative Marino**

Representative Marino presented House Bill No. 409, which prohibits the issuance of a summons in lieu of an arrest for certain domestic violence crimes.

Representative Marino offered amendments to:

- (1) Add the present law crime of battery of a dating partner to the proposed law exception to the issuance of a summons by an officer; and
- (2) Make technical corrections.

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

Representative Marino offered a motion to report House Bill No. 409 with amendments. Without objection, House Bill No. 409 was reported with amendments by a vote of 12 yeas and 0 nays.

Representatives Bacala, Fontenot, Garofalo, Goudeau, Marcelle, Marino, McCormick, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support. Witness cards are included in the committee records.

### **House Bill No. 137 by Representative Marino**

Representative Marino presented House Bill No. 137, which provides relative to immunity from prosecution for medical marijuana.

Representative Marino offered an amendment to provide that proposed law is effective if and when House Bill No. 135 of this 2022 Regular Session is enacted and becomes effective. Representative Marino offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, Marcelle, Marino, McCormick, McKnight, Nelson, Seabaugh, and Villio voted yea.

*Representative Villio in the chair.*

Peter Prevot, Louisiana Association for Therapeutic Alternatives and Marijuana Pharmacy Association, 530 Spanish Town Rd., Baton Rouge, LA 70802, (225) 571-7617, spoke for information only on House Bill No. 137.

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. 137.

Angela Broussard, 40225 Fenway Ave., Prairieville, LA 70769, (225) 572-1233, spoke in support of House Bill No. 137.

Tony Landry, Louisiana Veterans for Medical Cannabis, 213 Case Lane, Lafayette, LA 70506, (337) 412-2836, spoke in support of House Bill No. 137.

Loren M. Lampert, executive director, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke for information only on House Bill No. 137.

Representative Marino offered a motion to voluntarily defer action on House Bill No. 137. Without objection, action on House Bill No. 137 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, Marcelle, Marino, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support 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: 8 in support. Copies of these statements are included in the committee records.

***Further action was taken by the committee on House Bill No. 137 at a meeting held on April 19, 2022. Please check for subsequent action to complete the record of discussion and motions on House Bill No. 137.***

*Representative Bacala in the chair.*

### **House Bill No. 607 by Representative Geymann**

Representative Geymann presented House Bill No. 607, which provides relative to penalties for the crime of simple cruelty to animals.

On behalf of the author, Representative Marino offered amendments to:

- (1) Remove the proposed law minimum fine and minimum term of imprisonment; and
- (2) Provide that the court may order the offender to pay for the housing of the animal, along with any medical treatment of the animal.

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

On behalf of the author, Representative Marino offered an amendment to provide that any payments ordered by the court for expenses incurred are to be made pursuant to present law. Representative Marino offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 12 yeas and 0 nays. Representatives Bacala, Bryant, Fontenot, Garofalo, Goudeau, Marino, McCormick, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Julia Breaux, Humane Society of the United States, 6642 General Haig St., New Orleans, LA 70124, (504) 615-1152, spoke in support of House Bill No. 607.

Representative McKnight offered a motion to report House Bill No. 607 with amendments. Without objection, House Bill No. 607 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bacala, Bryant, Fontenot, Garofalo, Goudeau, Marino, McCormick, McKnight, Muscarello, Nelson, Seabaugh, and Villio voted yea.

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

### **House Bill No. 175 by Representative Landry**

Representative Landry presented House Bill No. 175, which provides relative to copayments made by inmates upon receiving medical or dental treatment.

Natalie Laborde, Department of Corrections, 504 Mayflower St., Baton Rouge, LA 70802, (225) 342-6740, spoke for information only on House Bill No. 175.

Will Harrell, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, (504) 510-1007, spoke in support of House Bill No. 175.

Ronald Marshall, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, (504) 547-5709, spoke in support of House Bill No. 175.

Eugene Dean, Voice of the Experienced, 8338 Belfast St., New Orleans, LA 70118, (504) 575-5779, spoke in support of House Bill No. 175.

Jamila Johnson, Promise of Justice Initiative, 1024 Elysian Fields Ave., New Orleans, LA 70116, (504) 529-5955, spoke in support of House Bill No. 175.

At the request of the author, Representative Bacala offered a motion to voluntarily defer action on House Bill No. 175. Without objection, action on House Bill No. 175 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Bacala, Bryant, Fontenot, Marcelle, McCormick, McKnight, 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: 36 in support. Copies of these statements are included in the committee records.

### **House Bill No. 812 by Representative Boyd**

Representative Boyd presented House Bill No. 812, which provides relative to collection and reporting of data regarding jail facilities.

Alanah Odoms, ACLU of Louisiana, 1340 Poydras St., New Orleans, LA 70112, (732) 713-8205, spoke in support of House Bill No. 812.



Chris Kaiser, ACLU of Louisiana, 1340 Poydras St., New Orleans, LA 70112, (732) 713-8205, spoke in support of House Bill No. 812.

Shannon Dirmann, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (225) 343-8402, spoke in opposition to House Bill No. 812.

Michael Ranatza, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (225) 343-8402, spoke in opposition to House Bill No. 812.

Sherie Thomas, Justice and Accountability Center of Louisiana, 11854 Goodwood Blvd., Baton Rouge, LA 70815, spoke in support of House Bill No. 812.

Rev. Alexis Anderson, PREACH, 248 Steele Blvd., Baton Rouge, LA 70806, (225) 244-9828, spoke in support of House Bill No. 812.

Caroline Durham, The St. Charles Center for Faith and Action, 7100 St. Charles Ave., New Orleans, LA 70115, (504) 729-8189, spoke in support of House Bill No. 812.

At the request of the author, Representative Marcelle offered a motion to voluntarily defer action on House Bill No. 812. Without objection, action on House Bill No. 812 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Bacala, Garofalo, Goudeau, Marcelle, Marino, McCormick, McKnight, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 24 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: 52 in support and 1 for information only. Copies of these statements are included in the committee records.

### **House Bill No. 52 by Representative Hollis**

***This is a continuation of the discussion House Bill No. 52 from earlier in the meeting. Please check for the prior action to complete the record of discussion and motions on House Bill No. 52.***

Representative Marcelle offered an amendment to provide that upon a first offense, the offender shall receive a written notice by a certified letter. Representative Marcelle offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas and 0 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, Marcelle, Marino, McKnight, Muscarello, and Seabaugh voted yea.

Representative Bacala offered a motion to report House Bill No. 52 with amendments. Without objection, House Bill No. 52 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, Marcelle, Marino, McCormick, McKnight, Muscarello, and Seabaugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 24 in support, 1 in opposition, and 1 for information only. Witness cards are included in the committee records.

### **House Bill No. 54 by Representative Bagley**

*This is a continuation of the discussion on House Bill No. 54 from a meeting held on March 24, 2022. Please check for the prior action to complete the record of discussion and motions on House Bill No. 54.*

Representative Bagley presented House Bill No. 54, which creates the crime of discrimination based on vaccination status.

On behalf of the author, Representative Bacala offered amendments to:

- (1) Make technical changes;
- (2) Prohibit only governmental entities or educational institutions from requiring proof of a COVID-19 vaccination for anyone seeking admission on the premises of the entity or institution; and
- (3) Establish an exemption for healthcare providers enrolled in Medicare or Medicaid who are subject to fines or penalties for noncompliance with federal rules and regulations.

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

*Representative Marino in the chair.*

Marie Pontti, 3006 Rue D Orleans, Baton Rouge, LA 70810, (225) 933-9135, spoke in support of House Bill No. 54.

Tori Hymel, 33650 Beverly Dr., Denham Springs, LA 70706, (225) 485-3428, spoke in support of House Bill No. 54.

Linda Glascock, 29847 S. Poplar St., Livingston, LA 70754, (225) 620-4610, spoke in support of House Bill No. 54.

Fiorella Trapani, Health Freedom Louisiana, 4412 Lefkoe St., Metairie, LA 70006, (504) 957-7523, spoke in support of House Bill No. 54.

Jill Hines, Health Freedom Louisiana, 1307 Mesa Ave., Ruston, LA 71270, (904) 318-6018, spoke in support of House Bill No. 54.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 2601 Tulane Ave., New Orleans, LA 70119, (504) 343-7175, spoke in opposition to House Bill No. 54.

Kaitlyn Johsua, 12296 Oak Colony Dr., Geismar, LA 70734, (225) 454-9321, spoke in opposition to House Bill No. 54.

Michael Bolton, Louisiana Chapter of the American Academy of Pediatrics, 7930 Oakbrook Dr., Baton Rouge, LA 70810, (512) 656-2771, spoke in opposition to House Bill No. 54.

Representative McCormick offered a motion to report House Bill No. 54 with amendments. Without objection, House Bill No. 54 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, Marino, McCormick, McKnight, Muscarello, Nelson, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 11 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: 36 in support and 9 in opposition. Copies of these statements are included in the committee records.

### **House Bill No. 471 by Representative Mincey**

At the request of the author, Representative Bacala offered a motion to voluntarily defer action on House Bill No. 471, which provides relative to background checks for workers dressed in costume as certain characters. Without objection, action on House Bill No. 471 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, Marino, McCormick, McKnight, Muscarello, Nelson, and Villio voted yea.

***Further action was taken by the committee on House Bill No. 471 at a meeting held on April 13, 2022. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 471.***

**House Bill No. 721 by Representative Schamerhorn**

At the request of the author, Representative Bacala offered a motion to voluntarily defer action on House Bill No. 721, which provides relative to the payment of fines, fees, costs, restitution, and the waiver of certain obligations. Without objection, action on House Bill No. 721 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, Marino, McCormick, McKnight, Muscarello, Nelson, and Villio voted yea.

**House Bill No. 500 by Representative Bacala**

Representative Bacala presented House Bill No. 500, which provides relative to contradictory hearings prior to setting bail for certain persons.

Representative Bacala offered amendments in the form of a substitute bill. Representative Bacala offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 9 yeas and 0 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, Marino, McKnight, Muscarello, Nelson, and Villio voted yea.

Representative Bacala offered an amendment to provide that a contradictory hearing is required for a person in custody for a crime of violence who has a previous conviction for a felony crime of violence. Representative Bacala offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas and 0 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, Marino, McKnight, Muscarello, Nelson, and Villio voted yea.

Glenn Ansardi, Louisiana District Judges Association, 400 Royal St., New Orleans, LA 70130, (504) 812-1337, spoke for information only on House Bill No. 500.

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. 500.

Representative Villio offered a motion to report House Bill No. 500 by substitute, to which Representative Marino objected. The administrative assistant called the roll, and House Bill No. 500 was reported by substitute by a vote of 9 yeas and 2 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, McCormick, McKnight, Nelson, Seabaugh, and Villio voted yea. Representatives Marino and Muscarello voted nay.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 6 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: 21 in opposition. Copies of these statements are included in the committee records.

**IV. ANNOUNCEMENTS**

There were no announcements.

**V. ADJOURNMENT**

The meeting was adjourned at 2:09 p.m.

Respectfully submitted,

Vice Chairman Tony Bacala  
House Committee on Administration of Criminal Justice