

House Committee on Administration of Criminal Justice

Minutes of Meeting
2022 Regular Session
May 18, 2022

I. CALL TO ORDER

Representative Joseph A. Marino, III, chairman of the House Committee on Administration of Criminal Justice, called the meeting to order at 9:54 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Joseph A. Marino, III, chairman
Representative Tony Bacala, vice chairman
Representative Marcus Anthony Bryant
Representative Raymond E. Garofalo, Jr.
Representative Jonathan Goudeau, I
Representative Valarie Hodges
Representative Vanessa Caston LaFleur
Representative C. Denise Marcelle
Representative Danny McCormick
Representative Nicholas Muscarello, Jr.
Representative Richard James Nelson
Representative Alan Seabaugh
Representative Debbie Villio

MEMBERS ABSENT:

Representative Bryan Fontenot

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Janet Anthony, sergeant at arms

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

III. DISCUSSION OF LEGISLATION

Senate Bill No. 323 by Senator Cloud

Senator Cloud presented Senate Bill No. 323, which provides relative to juveniles in the criminal justice system.

William A. Sommers, deputy secretary, Office of Juvenile Justice, 7919 Independence Blvd., Baton Rouge, LA 70806, (225) 278-7900, spoke for information only on Senate Bill No. 323. William Sommers provided a presentation, Exhibit A, and a handout, Exhibit B, which are included in the committee records.

Michelle Piazza, Office of Juvenile Justice, 1536 Bordelon Rd., Bunkie, LA 71326, (225) 721-2410, spoke for information only on Senate Bill No. 323.

Orlando R. Davis, Office of Juvenile Justice, 1907 Washington St., Monroe, LA 71201, (318) 362-5268, spoke for information only on Senate Bill No. 323.

Deron Patin, Office of Juvenile Justice, 7919 Independence Blvd., Baton Rouge, LA 70806, (225) 278-7900, spoke for information only on Senate Bill No. 323.

Ronald Marshall, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, (504) 547-5709, spoke in opposition to Senate Bill No. 323.

Representative Marcelle offered a motion to report Senate Bill No. 323 favorably. Without objection, Senate Bill No. 323 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Marino, Bryant, Garofalo, LaFleur, Marcelle, McCormick, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support, 4 in opposition, and 1 for information only. Witness cards are included in the committee records.

Senate Bill No. 335 by Senator Jackson

Senator Jackson presented Senate Bill No. 335, which provides for a juvenile in a correctional facility to serve additional time when he commits an assault or battery on an employee of the facility or another juvenile in the facility or a simple or aggravated escape.

On behalf of the author, Representative Marino offered amendments to: (1) make technical changes; (2) add the employee of a correctional facility as a specified victim in the crime of "aggravated battery" when the child is under the jurisdiction and legal custody of the Department of Public Safety and Corrections; and (3) add the crimes of "aggravated escape" and "simple escape" to the list of offenses for which a juvenile may be prosecuted as an adult under certain circumstances. Representative Marino offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Marino, Bryant, Garofalo, Goudeau, LaFleur, Marcelle, McCormick, Nelson, and Villio voted yea.

Representative Marino offered an amendment to remove references to the crimes of "simple battery", "aggravated assault", and "simple assault". Representative Marino offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Marino, Bacala, Bryant, Garofalo, Goudeau, LaFleur, Marcelle, McCormick, Nelson, and Villio voted yea.

Representative Bacala in the chair.

Richard M. Pittman, Louisiana Public Defender Board, 301 Main St., Baton Rouge, LA 70802, (225) 214-9305, spoke for information only on Senate Bill No. 335.

Corhonda Corly, 8815 Wilmore Dr., Zachary, LA 70791, (225) 654-0671, spoke for information only on Senate Bill No. 335.

Ronald Marshall, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70119, (504) 547-5709, spoke in opposition to Senate Bill No. 335.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 504 Lakeland Ave., Baton Rouge, LA 70802, (504) 393-7175, spoke in opposition to Senate Bill No. 335.

Rachel Gassert, Louisiana Center for Children's Rights, 1100-B Milton St., New Orleans, LA 70122, (504) 323-5717, spoke in opposition to Senate Bill No. 335.

Representative Villio offered a motion to report Senate Bill No. 335 with amendments. Without objection, Senate Bill No. 335 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Bacala, Bryant, Garofalo, Goudeau, LaFleur, McCormick, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support, 2 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: 3 in opposition. Copies of these statements are included in the committee records.

Senate Bill No. 359 by Senator Jackson

Senator Jackson presented Senate Bill No. 359, which provides for civil forfeiture reform.

Loren Lampert, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke for information only.

Representative Villio offered a motion to report Senate Bill No. 359 favorably. Without objection, Senate Bill No. 359 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Bacala, Bryant, Garofalo, Goudeau, LaFleur, McCormick, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 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: 3 in support. Copies of these statements are included in the committee records.

Chairman Marino in the chair.

Senate Bill No. 142 by Senator Morris

Senator Morris presented Senate Bill No. 142, which prohibits felony violent or sex offenders from being released under certain circumstances.

Representative Villio offered a motion to report Senate Bill No. 142 favorably, to which Representative Bryant objected. The administrative assistant called the roll, and Senate Bill No. 142 was reported favorably by a vote of 10 yeas and 2 nays. Representatives Bacala, Garofalo, Goudeau, Hodges, LaFleur, McCormick, Muscarello, Nelson, Seabaugh, and Villio voted yea. Representatives Marino and Bryant voted nay.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 7 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: 5 in opposition. Copies of these statements are included in the committee records.

Senate Bill No. 143 by Senator Morris

Senator Morris presented Senate Bill No. 143, which provides relative to the concealed carrying of firearms.

Representative Bacala offered a motion to report Senate Bill No. 143 favorably. Without objection, Senate Bill No. 143 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Marino, Bacala, Bryant, Garofalo, Goudeau, Hodges, LaFleur, McCormick, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 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: 2 in support. Copies of these statements are included in the committee records.

Senate Bill No. 304 by Senator Cathey

Senator Cathey presented Senate Bill No. 304, which provides relative to commutation of a prison sentence for good behavior.

On behalf of the author, Representative Marino offered an amendment to clarify proposed law to provide that the victim was killed in the line of duty as a peace officer or first responder. Representative Marino offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Marino, Bacala, Bryant, Garofalo, Goudeau, LaFleur, McCormick, Muscarello, Nelson, and Villio voted yea.

Representative Marino offered an amendment to remove proposed law which provided that diminution of sentence does not include time spent in custody prior to conviction. 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 Marino, Bacala, Bryant, Garofalo, Goudeau, LaFleur, McCormick, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Representative Villio offered a motion to report Senate Bill No. 304 with amendments, to which Representative Marino objected. The administrative assistant called the roll, and Senate Bill No. 304 was reported with amendments by a vote of 9 yeas and 2 nays. Representatives Bacala, Garofalo, Goudeau, LaFleur, McCormick, Muscarello, Nelson, Seabaugh, and Villio voted yea. Representatives Marino and Bryant voted nay.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 4 in opposition. Witness cards are included in the committee records.

IV. ANNOUNCEMENTS

There were no announcements.

V. ADJOURNMENT

The meeting was adjourned at 12:11 p.m.

Respectfully submitted,

Chairman Joseph A. Marino, III
House Committee on Administration of Criminal Justice