

## House Committee on Administration of Criminal Justice

Minutes of Meeting  
2022 Regular Session  
April 13, 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 9:57 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 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:

Representative Raymond E. Garofalo, Jr.

#### 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

### III. DISCUSSION OF LEGISLATION

#### **House Bill No. 769 by Representative Wright**

Representative Wright presented House Bill No. 769, which provides relative to ignition interlock devices and maintenance services.

Mary-Patricia Wray, Mothers Against Drunk Driving, 2360 Tulip St., Baton Rouge, LA 70806, (225) 395-9961, spoke in support of House Bill No. 769.

*Representative Marino in the chair.*

Chris Kenschak, Responsibility.org, no address provided, (202) 637-0571, spoke in support of House Bill No. 769.

Julie Vezinot, 6061 Evan St., Baton Rouge, LA 70806, (337) 794-4189, spoke in support of House Bill No. 769.

Lisa Miller, 13054 Dee Gautreau Rd., Gonzales, LA 70737, (225) 571-2196, spoke in support of House Bill No. 769.

Vanessa Braggs, Mothers Against Drunk Driving, no address provided, (225) 926-0807, spoke in support of House Bill No. 769.

Sunny House, executive director, Mothers Against Drunk Driving, no address provided, (225) 772-1123, spoke in support of House Bill No. 769.

Gary L. Prince, Mothers Against Drunk Driving, P.O. Box 697, Loreauville, LA 70552, (337) 352-1662, spoke in support of House Bill No. 769.

Dewayne Curney, Sr., Mothers Against Drunk Driving, 73291 Green St., Abita Springs, LA 70420, (985) 249-9205, spoke in support of House Bill No. 769.

At the request of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 769. Without objection, action on House Bill No. 769 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Bacala, Bryant, Goudeau, Marcelle, Marino, McCormick, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support, 11 in opposition, and 5 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: 12 in opposition. Copies of these statements are included in the committee records.

***Further action was taken by the committee on House Bill No. 769 at a meeting held on April 27, 2022. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 769.***

*Representative Bacala in the chair.*

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

Representative Mincey presented House Bill No. 471, which provides relative to background checks for workers dressed in costume as certain characters.

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

- (1) Remove the requirement for a background check for volunteers dressed in costumes or as certain characters;
- (2) Provide that proposed law applies to any employee that is eighteen years of age or older;
- (3) Require the background check before initial employment;
- (4) Require employees to submit a background check for continuous employment;
- (5) Remove proposed law penalties for employees;
- (6) Provide that the employer who knowingly employs a sex offender shall not be fined more than five thousand dollars; and
- (7) Require certain qualified entities to conduct an additional background check every five years.

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, Goudeau, Marino, McCormick, McKnight, Muscarello, Seabaugh, and Villio voted yea.

Representative Bacala offered an amendment to add the requirement that the person is employed for the primary purpose of interacting with children. 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, Goudeau, Marino, McCormick, McKnight, Muscarello, Seabaugh, and Villio voted yea.

Sarah Whittington, Justice and Accountability Center, 4035 Washington Ave., Ste. 203, New Orleans, LA 70125, (504) 322-4000, spoke in opposition to House Bill No. 471.

Representative Seabaugh offered a motion to report House Bill No. 471 with amendments, to which Representative Fontenot objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 4 yeas and 7 nays. Representatives Bacala, Marino, Muscarello, and Seabaugh voted yea. Representatives Bryant, Fontenot, Goudeau, Marcelle, McCormick, McKnight, and Villio voted nay.

Witness cards submitted by individuals who did not speak are as follows: 3 in opposition and 2 for information only. Witness cards are included in the committee records.

### **House Bill No. 731 by Representative Duplessis**

Representative Duplessis presented House Bill No. 731, which provides relative to emergency preparedness plans for juvenile detention facilities.

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

- (1) Replace references to the Department of Public Safety and Corrections with the Department of Children and Family Services and Office of Juvenile Justice; and
- (2) Make written policies, procedures, and practices applicable to juvenile detention centers.

Representative Bacala offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Bacala, Bryant, Fontenot, Marcelle, McCormick, McKnight, Muscarello, and Villio voted yea.

Representative Marcelle offered a motion to report House Bill No. 731 with amendments. Without objection, House Bill No. 731 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Bacala, Bryant, Fontenot, Goudeau, Marcelle, Marino, McCormick, Muscarello, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 17 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: 6 in support. Copies of these statements are included in the committee records.

**House Bill No. 707 by Representative Duplessis**

Representative Duplessis presented House Bill No. 707, which provides relative to the expungement of criminal records.

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

- (1) Require the Louisiana Supreme Court Case Management Information System to send notice by United States mail or electronically of all records identified pursuant to proposed law to be expunged to the clerks of the district courts;
- (2) Remove the requirement for the bureau to identify records as expunged by automation and require the clerks of the district courts to verify and identify such records;
- (3) Require the clerks of the district courts to also send notice by United States mail or electronically of all records expunged by automation to the Louisiana Supreme Court Case Management and Information System and the bureau; and
- (4) Require the Louisiana Supreme Court Case Management and Information System and the bureau to identify records as expunged by automation.

Representative Bacala offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Bacala, Bryant, Goudeau, Marcelle, Marino, McCormick, Muscarello, and Seabaugh voted yea.

Loren Lampert, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke for information only on House Bill No. 707.

*Representative Marino in the chair.*

Col. Lamar Davis, Louisiana State Police, 7919 Independence Blvd., Baton Rouge, LA 70806, (225) 925-6118, spoke for information only on House Bill No. 707.

Frank DiFulco, CMIS Division at the Louisiana Supreme Court, 400 Royal St., Ste. 1190, New Orleans, LA 70130, (504) 310-2561, spoke for information only on House Bill No. 707.

Debbie D. Hudnall, Louisiana Clerks of Court, 10202 Jefferson Hwy., Baton Rouge, LA 70809, (225) 293-1162, spoke for information only on House Bill No. 707.

*Representative Bacala in the chair.*

Vanessa Spinazola, Justice and Accountability Center, 4035 Washington Ave., Ste. 203, New Orleans, LA 70125, (504) 322-4050, spoke in support of House Bill No. 707.

Representative Marcelle offered a motion to report House Bill No. 707 with amendments. Without objection, House Bill No. 707 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Bacala, Bryant, Fontenot, Marcelle, Marino, McCormick, Muscarello, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 48 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. 634 by Representative McMahan**

Representative McMahan presented House Bill No. 634, which provides relative to offenses against minors.

Loren Lampert, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke for information only on House Bill No. 634.

Representative Marcelle offered a motion to report House Bill No. 634 favorably. Without objection, House Bill No. 634 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Bacala, Bryant, Goudeau, Marcelle, Marino, McCormick, Muscarello, and Villio voted yea.

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

#### **House Bill No. 129 by Representative Nelson**

At the request of the author, Representative Bacala offered a motion to voluntarily defer action on House Bill No. 129. Without objection, action on House Bill No. 129 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Bacala, Bryant, Fontenot, Goudeau, Marcelle, Marino, McCormick, Muscarello, and Villio voted yea.

**House Bill No. 484 by Representative Jordan**

Representative Jordan presented House Bill No. 484, which provides relative to pre-trial discovery matters.

Wallace C. Howington, 16<sup>th</sup> Judicial District Court Attorney's Office, 300 Iberia St., Ste. 200, New Iberia, LA 70560, (337) 369-4420, spoke in opposition to House Bill No. 484.

Loren Lampert, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke in opposition to House Bill No. 484.

At the request of the author, Representative Marcelle offered a motion to voluntarily defer action on House Bill No. 484. Without objection, action on House Bill No. 484 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Bacala, Bryant, Fontenot, Goudeau, Marcelle, Marino, McCormick, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support and 2 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: 7 in support. Copies of these statements are included in the committee records.

**House Bill No. 722 by Representative Jordan**

Representative Jordan presented House Bill No. 722, which provides relative to certain pretrial procedures.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 504 Lakeland Dr., Baton Rouge, LA 70802, (504) 343-7175, spoke in support of House Bill No. 722.

Wallace C. Howington, 16<sup>th</sup> Judicial District Court Attorney's Office, 300 Iberia St., Ste. 200, New Iberia, LA 70560, (337) 369-4420, spoke in opposition to House Bill No. 722.

Glenn Ansardi, Louisiana District Judges Association, 400 Royal St., New Orleans, LA 70130, (504) 812-1337, spoke for information only on House Bill No. 722.

Loren Lampert, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke in opposition to House Bill No. 722.

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

- (1) Remove proposed law relative to the time within which a bill of information or indictment shall be filed;
- (2) Remove proposed law relative to the time period for setting an arraignment; and
- (3) Provide relative to the defendant's obligation under certain circumstances.

Representative Bacala offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Bacala, Fontenot, Goudeau, McCormick, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Representative Bryant offered a motion to report House Bill No. 722 with amendments, to which Representative Villio objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 3 yeas and 7 nays. Representatives Bryant, Marcelle, and Marino voted yea. Representatives Bacala, Fontenot, Goudeau, McCormick, Nelson, Seabaugh, and Villio voted nay.

Witness cards submitted by individuals who did not speak are as follows: 15 in support and 2 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: 13 in support. Copies of these statements are included in the committee records.

#### **House Bill No. 40 by Representative Cormier**

At the request of the author, Representative Bacala offered a motion to voluntarily defer action on House Bill No. 40. Without objection, action on House Bill No. 40 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Bacala, Bryant, Fontenot, Goudeau, Marcelle, Marino, McCormick, Nelson, Seabaugh, and Villio voted yea.

#### **IV. ANNOUNCEMENTS**

There were no announcements.

#### **V. ADJOURNMENT**

The meeting was adjourned at 1:13 p.m.

Respectfully submitted,

Vice Chairman Tony Bacala  
House Committee on Administration of Criminal Justice