

House Committee on Administration of Criminal Justice

Minutes of Meeting
2022 Regular Session
May 10, 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 9:38 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 Bryan Fontenot
Representative Raymond E. Garofalo, Jr.
Representative Jonathan Goudeau, I
Representative Vanessa Caston LaFleur
Representative Danny McCormick
Representative Richard James Nelson
Representative Alan Seabaugh
Representative Debbie Villio

MEMBERS ABSENT:

Representative C. Denise Marcelle
Representative Valarie Hodges
Representative Nicholas Muscarello, 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

Senate Bill No. 64 by Senator Connick

Senator Connick presented Senate Bill No. 64, which provides relative to crimes of violence and sex offenses.

Sunny Funk, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70053, (504) 368-1020, spoke in support of Senate Bill No. 64.

Morgan Lamandre, Sexual Trauma Awareness and Response, 5615 Corporate Blvd., Ste. 200, Baton Rouge, LA 70808, (225) 615-7093, spoke in support of Senate Bill No. 64.

Representative Bacala offered a motion to report Senate Bill No. 64 favorably. Without objection, Senate Bill No. 64 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Marino, Bacala, Bryant, Fontenot, Goudeau, McCormick, Nelson, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 5 in opposition. Witness cards are included in the committee records.

Senate Bill No. 71 by Senator Connick

Senator Connick presented Senate Bill No. 71, which provides relative to the district attorney's discretion to prosecute a juvenile as an adult for certain offenses.

Douglas Ruston, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70053, (504) 368-1020, spoke in support of Senate Bill No. 71.

Ronald Marshall, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70119, (504) 547-5709, spoke in opposition to Senate Bill No. 71.

Representative Villio offered a motion to report Senate Bill No. 71 favorably. Without objection, Senate Bill No. 71 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Marino, Bacala, Bryant, Garofalo, Goudeau, McCormick, Nelson, Seabaugh, and Villio voted yea.

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.

Senate Bill No. 72 by Senator Connick

Senator Connick presented Senate Bill No. 72, which provides relative to the authority of juvenile courts in certain proceedings.

Rachel Gassert, Louisiana Center for Children's Rights, 1100-B Milton St., New Orleans, LA 70122, (504) 323-5117, spoke in opposition to Senate Bill No. 72.

Douglas Rushton, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70053, (504) 368-1020, spoke in support of Senate Bill No. 72.

Representative Villio offered a motion to report Senate Bill No. 72 favorably. Without objection, Senate Bill No. 72 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Marino, Bacala, Bryant, Garofalo, Goudeau, McCormick, Nelson, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 7 in opposition. Witness cards are included in the committee records.

Senate Bill No. 285 by Senator Smith

Senator Smith presented Senate Bill No. 285, which makes technical changes to update cross references to gaming laws and authorizes the Louisiana Gaming Control Board to conduct open meetings via video conferencing.

On behalf of the author, Representative Marino offered an amendment to make technical changes. 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 Marino, Bacala, Bryant, Garofalo, Goudeau, McCormick, Nelson, and Villio voted yea.

Representative Villio offered a motion to report Senate Bill No. 285 with amendments. Without objection, Senate Bill No. 285 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Marino, Bacala, Bryant, Garofalo, Goudeau, McCormick, Nelson, and Villio voted yea.

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

Senate Bill No. 337 by Senator Smith

Senator Smith presented Senate Bill No. 337, which increases the sentence for operating a vehicle while under suspension for certain prior offenses.

On the behalf of the author, Representative Marino offered amendments to: (1) add the present law crime of first degree vehicular negligent injuring to the proposed law penalties for operating a vehicle while under suspension for certain prior offenses and (2) provide that the penalties for operating a vehicle while under suspension for certain prior offenses are in addition to any other penalties imposed pursuant to Title 14 of the La. Revised Statutes of 1950. Representative Marino offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Marino, Bacala, Bryant, Garofalo, LaFleur, McCormick, Nelson, and Villio voted yea.

Representative Marino offered a motion to report Senate Bill No. 337 with amendments. Without objection, Senate Bill No. 337 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Marino, Bacala, Bryant, Garofalo, LaFleur, McCormick, Nelson, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 1 for information only. Witness cards are included in the committee records.

Senate Bill No. 182 by Senator Fields

Senator Fields presented Senate Bill No. 182, which provides relative to revocation of P.O.S.T. certification.

Shannon Dirmann, Louisiana Sheriffs' Association, 1175 Nicholson Ave., Baton Rouge, LA 70802, (225) 343-8402, spoke in support of Senate Bill No. 182.

Representative Bacala offered amendments to change the term "unauthorized" to "unreasonable", relative to the use of force. 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 Marino, Bacala, Bryant, Garofalo, LaFleur, McCormick, Nelson, and Seabaugh voted yea.

Representative Marino offered an amendment to make technical changes. 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 Marino, Bacala, Bryant, Fontenot, Garofalo, LaFleur, McCormick, Nelson, and Seabaugh voted yea.

Mike Ranatza, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (225) 343-8402, spoke in support of Senate Bill No. 182.

Representative Bryant offered a motion to report Senate Bill No. 182 with amendments. Without objection, Senate Bill No. 182 was reported with amendments by a vote of 9 yeas and 0 nays.

Representatives Marino, Bryant, Fontenot, Garofalo, Goudeau, LaFleur, McCormick, Nelson, and Seabaugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support, 6 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: 2 in support. Copies of these statements are included in the committee records.

Senate Bill No. 400 by Senator Fields

Senator Fields presented Senate Bill No. 400, which provides for the administration of the Department of Public Safety and Corrections, public safety services.

On behalf of the author, Representative Marino offered an amendment to change the effective date to January 1, 2024. 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 Marino, Bryant, Fontenot, Garofalo, Goudeau, LaFleur, McCormick, Nelson, and Seabaugh voted yea.

Representative LaFleur offered a motion to report Senate Bill No. 400 with amendments, to which Representative Fontenot objected. Representative Fontenot offered a substitute motion to involuntarily defer action on Senate Bill No. 400, to which Representative Nelson objected. The administrative assistant called the roll, and action on Senate Bill No. 400 was involuntarily deferred by a vote of 5 yeas, 4 nays, and 1 abstention. Representatives Fontenot, Garofalo, Goudeau, McCormick, and Seabaugh voted yea. Representatives Bryant, LaFleur, Nelson, and Villio voted nay. Representative Marino abstained.

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.

Senate Bill No. 335 by Senator Jackson

At the request of the author, Representative Marino offered a motion to voluntarily defer action on Senate Bill No. 335. Without objection, action on Senate Bill No. 335 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Marino, Bryant, Fontenot, Garofalo, Goudeau, LaFleur, McCormick, Nelson, Seabaugh, and Villio voted yea.

Senate Bill No. 323 by Senator Cloud

At the request of the author, Representative Marino offered a motion to voluntarily defer action on Senate Bill No. 323. Without objection, action on Senate Bill No. 323 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Marino, Bryant, Fontenot, Garofalo, Goudeau, LaFleur, McCormick, Nelson, Seabaugh, and Villio voted yea.

Senate Bill No. 290 by Senator Cortez

Senator Cortez presented Senate Bill No. 290, which provides relative to the regulation of sports wagering.

Ronnie Johns, chairman, Gaming Control Board, 7901 Independence Blvd., Bldg. A, Baton Rouge, LA 70806, (337) 842-0333, spoke for information only on Senate Bill No. 290.

Representative Nelson offered a motion to report Senate Bill No. 290 favorably. Without objection, Senate Bill No. 290 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Marino, Fontenot, Garofalo, Goudeau, LaFleur, McCormick, Nelson, and Villio voted yea.

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

Senate Bill No. 370 by Senator Harris

Senator Harris presented Senate Bill No. 370, which provides for parent participation after adjudication of a delinquent act committed by their juvenile child.

Representative Bryant offered a motion to report Senate Bill No. 370 favorably. Without objection, Senate Bill No. 370 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Marino, Bryant, Fontenot, Garofalo, Goudeau, LaFleur, Nelson, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 2 in opposition. Witness cards are included in the committee records.

IV. ANNOUNCEMENTS

There were no announcements.

V. ADJOURNMENT

The meeting was adjourned at 11:05 a.m.

Respectfully submitted,

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