

House Committee on Administration of Criminal Justice

Minutes of Meeting
2022 Regular Session
May 24, 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 9:39 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 C. Denise Marcelle
Representative Danny McCormick
Representative Nicholas Muscarello, Jr.
Representative Richard James Nelson
Representative Alan Seabaugh
Representative Debbie Villio

MEMBERS ABSENT:

Representative Valarie Hodges

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

Senate Bill No. 418 by Senator Cathey

Senator Cathey presented Senate Bill No. 418, which provides for the detention of seventeen-year-old juveniles under certain circumstances.

Representative Villio offered an amendment to add effectiveness upon signature of the governor. Representative Villio 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, Fontenot, Garofalo, Goudeau, LaFleur, Marcelle, Muscarello, Nelson, and Villio 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 10 yeas and 0 nays. Representatives Marino, Bacala, Fontenot, Garofalo, Goudeau, LaFleur, Marcelle, Muscarello, Nelson, and Villio voted yea.

Deron Patin, Office of Juvenile Justice, 7919 Independence Blvd., Baton Rouge, LA 70806, (225) 287-7900, spoke for information only on Senate Bill No. 418.

William Sommers, deputy secretary, 7919 Independence Blvd., Baton Rouge, LA 70806, (225) 287-7900, spoke for information only on Senate Bill No. 418.

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. 418.

Marshall Thomas, Louisiana Center for Children's Rights, 1100-B Milton St., New Orleans, LA 70122, (225) 681-3905, spoke in opposition to Senate Bill No. 418.

Allison Zimmer, Louisiana Center for Children's Rights, 1100-B Milton St., New Orleans, LA 70122, (201) 618-1735, spoke in opposition to Senate Bill No. 418.

Shon Williams, Louisiana Center for Children's Rights, 1100-B Milton St., New Orleans, LA 70122, (304) 657-0162, spoke in opposition to Senate Bill No. 418.

Terrance Simon, 820 Homer St., New Orleans, LA 70114, (716) 393-6195, spoke in opposition to Senate Bill No. 418.

Aaron Hauser, 1984 Brightside Dr., Baton Rouge, LA 70820, spoke in opposition to Senate Bill No. 418.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 504 Lakeland Ave, Baton Rouge, LA 70802, (504) 343-7125, spoke in opposition to Senate Bill No. 418.

Lloyd Jarrow, 3101 Highland Rd., Baton Rouge, LA 70802, (225) 247-9416, spoke in opposition to Senate Bill No. 418.

Representative Goudeau offered a motion to report Senate Bill No. 418 with amendments, to which Representative Marcelle objected. The administrative assistant called the roll, and Senate Bill No. 418 was reported with amendments by a vote of 6 yeas and 5 nays. Representatives Fontenot, Garofalo, Goudeau, Muscarello, Seabaugh, and Villio voted yea. Representatives Marino, Bryant, LaFleur, Marcelle, and Nelson voted nay.

Witness cards submitted by individuals who did not speak are as follows: 18 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: 1 in opposition. Copies of these statements are included in the committee records.

Senate Bill No. 4 by Senator Morris

Senator Morris presented Senate Bill No. 4, a constitutional amendment to eliminate judge's discretion to grant bail for certain offenses after conviction but prior to sentencing.

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 11 yeas and 0 nays. Representatives Marino, Fontenot, Garofalo, Goudeau, LaFleur, Marcelle, McCormick, Muscarello, Nelson, Seabaugh, and Villio voted yea.

Stacy Rutlege, no address provided, West Monroe, LA, spoke in support of Senate Bill No. 4.

Glenn Ansardi, Louisiana District Judges Association, 400 Royal St., New Orleans, LA 70130, (504) 812-1337, spoke for information only on Senate Bill No. 4.

Dan Claitor, Smart on Crime, 7520 Perkins Rd., Ste. 170, Baton Rouge, LA 70808, (225) 757-0159, spoke in opposition to Senate Bill No. 4.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 504 Lakeside Ave., Baton Rouge, LA 70802, (504) 343-7175, spoke in opposition to Senate Bill No. 4.

Representative Villio offered a motion to report Senate Bill No. 4 with amendments, to which Representative Marcelle objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 6 yeas and 6 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, Seabaugh, and Villio voted yea. Representatives Marino, LaFleur, Marcelle, McCormick, Muscarello, and Nelson voted nay.

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

House Resolution No. 138 by Representative Landry

Representative Landry presented House Resolution No. 138, which requests a study of state laws relative to abortion.

Ben Clapper, Louisiana Right to Life, 200 Allen Toussaint Blvd., New Orleans, LA 70124, (504) 875-6520, spoke in opposition to House Resolution No. 138.

Susan Raborn, 1323 Chippenham Dr., Baton Rouge, LA 70808, (225) 978-1490, spoke in opposition to House Resolution No. 138.

Representative Marcelle offered a motion to report House Resolution No. 138 favorably, to which Representative Seabaugh objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 5 yeas and 7 nays. Representatives Marino, Bryant, LaFleur, Marcelle, and Villio voted yea. Representatives Bacala, Fontenot, Garofalo, Goudeau, McCormick, Nelson, and Seabaugh voted nay.

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

Senate Bill No. 234 by Senator Jackson

Senator Jackson presented Senate Bill No. 234, a constitutional amendment to allow adult prosecution and enhanced penalties against juveniles in correctional facilities who commit assault or battery against an employee or juvenile.

Representative Bacala in the chair.

On behalf of the author, Representative Bacala offered an amendment to remove references to the crime of "simple battery". Representative Bacala offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 8 yeas and 0 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, LaFleur, McCormick, Nelson, and Villio voted yea.

Rachel Gassert, Louisiana Center for Children's Rights, 110-B Milton St., New Orleans, LA 70122, (504) 323-5717, spoke in opposition to Senate Bill No. 234.

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. 234.

Chairman Marino in the chair.

Representative Bacala offered a motion to report Senate Bill No. 234 with amendments. Without objection, Senate Bill No. 234 was reported with amendments by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Bacala, Fontenot, Garofalo, Goudeau, LaFleur, McCormick, Nelson, and Villio voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 15 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: 1 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 12:32 p.m.

Respectfully submitted,

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