

House Committee on Administration of Criminal Justice

Minutes of Meeting
2024 Second Extraordinary Session
February 20, 2024

I. CALL TO ORDER

Representative Debbie Villio, chair of the House Committee on Administration of Criminal Justice, called the meeting to order at 11:03 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Debbie Villio, chair
Representative Roy Daryl Adams
Representative Tony Bacala
Representative Chad Michael Boyer
Representative Vincent E. Cox, III
Representative Bryan Fontenot
Representative Dodie Horton
Representative Michael T. Johnson
Representative Alonzo L. Knox
Representative Vanessa Caston LaFleur, vice chair
Representative Patricia "Pat" Moore
Representative Lauren Ventrella
Representative Joy Walters
Representative Jeffrey Fons "Jeff" Wiley

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Zachary Gonzalez, attorney
Stephanie Weinman, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Angela McKnight, sergeant at arms
Janet Anthony, sergeant at arms
Michael McCain, clerk

III. OTHER BUSINESS

Representative Fontenot offered a motion to adopt the Committee on Administration of Criminal Justice Rules of Procedure. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Knox, Moore, Ventrella, Walters, and Wiley voted yea.

IV. DISCUSSION OF LEGISLATION

House Bill No. 7 by Representative Schlegel

Representative Schlegel presented House Bill No. 7, which provides relative to the penalties for the crime of carjacking.

Loren Lampert, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, spoke in support of House Bill No. 7.

Sarah Whittington, Justice and Accountability Center, 4035 Washington Ave., New Orleans, LA 70125, spoke in opposition to House Bill No. 7.

Katie Hunter-Lowrey, Louisiana Survivors for Reform, 1024 Elysian Fields Ave., New Orleans, LA 70117, spoke in opposition to House Bill No. 7.

Representative Mike Johnson offered a motion to report House Bill No. 7 favorably, to which Representative Walters objected. The administrative assistant called the roll, and House Bill No. 7 was reported favorably by a vote of 13 yeas and 1 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Knox, LaFleur, Moore, Ventrella, and Wiley voted yea. Representative Walters voted nay.

Witness cards submitted by individuals who did not speak are as follows: 9 in support and 65 in opposition. Witness cards are included in the committee records.

House Bill No. 8 by Representative Schlegel

Representative Schlegel presented House Bill No. 8, which provides relative to distribution of fentanyl under certain circumstances.

Representative Villio offered a motion to report House Bill No. 8 favorably. Without objection, House Bill No. 8 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support and 25 in opposition. Witness cards are included in the committee records.

House Bill No. 4 by Representative Emerson

Representative Emerson presented House Bill No. 4, which provides relative to changes for post conviction relief procedures.

At the request of Attorney General Liz Murrill, Representative Villio offered amendments to:

- (1) Provide that proposed law limitations are jurisdictional;
- (2) Clarify that in addition to serving the district attorney for the jurisdiction where the underlying conviction was obtained, any application filed after the first application for post conviction relief shall be served on the district attorney and the attorney general at least sixty days in advance of the hearing on the application; and
- (3) Provide that both the district attorney and the attorney general shall have a right to suspensively appeal any order granting relief.

Attorney General Liz Murrill, Louisiana Department of Justice, 1885 N. Third St., Baton Rouge, LA 70804, spoke in support of the amendments and House Bill No. 4.

Representative Villio offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

Christopher Walters, designee of Governor Jeff Landry, 900 N. Third St., 4th Floor, Baton Rouge, LA 70802, spoke in support of House Bill No. 4.

Professor Becki Kandkar, Tulane Law School, Domestic Violence Clinic, 6329 Freret St., New Orleans, LA 70118, spoke for information only on House Bill No. 4.

Professor Katherine Mattes, Tulane Law School, Women's Prison Project, 6329 Freret St., New Orleans, LA 70118, spoke for information only on House Bill No. 4.

Representative C. Denise Marcelle, 1824 N. Acadian Thwy., Baton Rouge, LA 70802, spoke in opposition to House Bill No. 4.

Gary P. Clements, 1304 Lowerline St., New Orleans, LA 70118, spoke in opposition to House Bill No. 4.

Jee Park, Innocence Project New Orleans, 4051 Ulloa St., New Orleans, LA 70119, spoke in opposition to House Bill No. 4.

Maureen Shanahan, 3324 Octavia St., New Orleans, LA 70125, spoke in opposition to House Bill No. 4.

Sullivan Walter, no address provided, spoke in opposition to House Bill No. 4.

Jerome Morgan, no address provided, spoke in opposition to House Bill No. 4.

Fischer Shaffer, 3314 Broadway St., New Orleans, LA 70125, spoke in opposition to House Bill No. 4.

Maureen Kelley, 6056 Coliseum St., New Orleans, LA 70118, spoke in opposition to House Bill No. 4.

Aubrey Harris, 643 Magazine St., Ste. 200, New Orleans, LA 70133, spoke in opposition to House Bill No. 4.

Erica Navalance, Promise of Justice Initiative, 1024 Elysian Fields Ave., New Orleans, LA 70116, spoke in opposition to House Bill No. 4.

Checo Yancy, 8383 Airline Hwy. #58, Baton Rouge, LA 70815, spoke in opposition to House Bill No. 4.

W. Claire Howington, 16th Judicial District Attorney's Office, 300 Iberia St., Ste. 200, New Iberia, LA 70560, spoke in support of House Bill No. 4.

Representative Walters offered an amendment to restore the present law filing guideline of two years, rather than one year as in proposed law. Representative Walters offered a motion to adopt the proposed amendment, to which Representative Fontenot objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 4 yeas and 10 nays. Representatives Knox, LaFleur, Moore, and Walters voted yea. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Ventrella, and Wiley voted nay.

Representative Horton offered a motion to report House Bill No. 4 with amendments, to which Representative Knox objected. The administrative assistant called the roll, and House Bill No. 4 was reported with amendments by a vote of 8 yeas and 6 nays. Representatives Villio, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, and Ventrella voted yea. Representatives Adams, Knox, LaFleur, Moore, Walters, and Wiley voted nay.

Witness cards submitted by individuals who did not speak are as follows: 6 in support and 146 in opposition. Witness cards are included in the committee records.

House Bill No. 6 by Representative Muscarello

Representative Muscarello presented House Bill No. 6, which provides relative to the methods of execution and for confidentiality of records or information relating to the execution of a death sentence.

Representative Villio offered an amendment to provide that no preference shall be given to the method of execution used in a sentence of death. Representative Villio offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Villio, Adams, Boyer, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

Representative Knox offered amendments to:

- (1) Make technical changes; and
- (2) Require the Department of Public Safety and Corrections to make counseling services available for any person involved in the execution of a death sentence in this state.

Representative Knox offered a motion to adopt the proposed amendments, to which Representative Fontenot objected. The administrative assistant called the roll, and the amendments were adopted by a vote of 12 yeas and 1 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Horton, Mike Johnson, Knox, LaFleur, Moore, Walters, and Wiley voted yea. Representative Fontenot voted nay.

Tony Clayton, 18th Judicial District Attorney, 3741 Louisiana Hwy. 1 S., Port Allen, LA 70767, spoke in support of House Bill No. 6.

Howard Keith Vincent, P.O. Box 955, Iowa, LA 70647, spoke in support of House Bill No. 6.

John Sinquefield, executive counsel to Attorney General Liz Murrill, 1885 N. Third St., 7th Floor, Baton Rouge, LA 70802, spoke in support of House Bill No. 6.

Wayne Guzzardo, 26017 Shadowbrook Ave., Denham Springs, LA 70726, spoke in support of House Bill No. 6.

Amy McMullen, 9162 Buncomb Rd., Bethany, LA 71007, spoke in support of House Bill No. 6.

John T. Prock, representing Joe F. Prock, 8845 Greenwood Springridge Rd., Shreveport, LA 71033, spoke in support of House Bill No. 6.

Bishop Michael G. Duca, Roman Catholic Diocese of Baton Rouge, 3330 Hundred Oaks Ave., Baton Rouge, LA 70808, spoke in opposition to House Bill No. 6.

Katie Hunter-Lowrey, Louisiana Survivors for Reform, 1024 Elysian Fields Ave., New Orleans, LA 70117, spoke in opposition to House Bill No. 6.

Hardell Ward, Promise of Justice Initiative, 1024 Elysian Fields Ave., New Orleans, LA 70117, spoke in opposition to House Bill No. 6.

Sara Gozalo, 5315 Saint Anthony Ave., New Orleans, LA 70122, spoke in opposition to House Bill No. 6.

Catherine Knight, 2473 North Prieur St., New Orleans, LA 70117, spoke in opposition to House Bill No. 6.

Maureen Kelley, 6056 Coliseum St., New Orleans, LA 70118, spoke in opposition to House Bill No. 6.

Gary P. Clements, 1304 Lowerline St., New Orleans, LA 70118, spoke in opposition to House Bill No. 6.

Bruce Reilly, 1015 Governor Nicholls St., New Orleans, LA 70116, spoke in opposition to House Bill No. 6.

Caroline Tillman, Saint John Court E., New Orleans, LA 70119, spoke in opposition to House Bill No. 6.

Jennifer Blanchard, 625 Convention St., Apt. 311, Baton Rouge, LA 70802, spoke in opposition to House Bill No. 6.

J. Courtney Wilson, 169 Beverly Dr., Metairie, LA 70001, spoke in opposition to House Bill No. 6.

Susan Weishar, Jesuit Social Research Institute, Loyola University, 6363 St. Charles Ave., New Orleans, LA 70118, spoke in opposition to House Bill No. 6.

Michael Cahoon, Promise of Justice Initiative, 1601 Feliciana St., New Orleans, LA 70117, spoke in opposition to House Bill No. 6.

Josh Schwartz, 547 Third St., New Orleans, LA 70130, spoke in opposition to House Bill No. 6.

Ashwini Velchamy, 4152 Iberville St., New Orleans, LA 70119, spoke in opposition to House Bill No. 6.

Mary-Patricia Wray, Promise of Justice Initiative, 2360 Tulip St., Baton Rouge, LA 70806, spoke in opposition to House Bill No. 6.

Sarah Ottinger, attorney at law, 2563 Bayou Rd., New Orleans, LA 70119, spoke in opposition to House Bill No. 6.

Representative Fontenot offered a motion to report House Bill No. 6 with amendments. Without objection, House Bill No. 6 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

Witness cards submitted by individuals who did not speak are as follows: 9 in support and 81 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 6 pursuant to House Rule 14.33.

House Bill No. 5 by Representative Mike Johnson

Representative Mike Johnson presented House Bill No. 5, which designates the crime of illegal use of weapons or dangerous instrumentalities as a crime of violence.

Phillip Terrell, Rapides Parish District Attorney, 701 Murray St., Alexandria, LA 71301, spoke in support of House Bill No. 5.

Loren Lampert, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, spoke in support of House Bill No. 5.

Stephanie L. Willis, ACLU of Louisiana, P.O. Box 56157, New Orleans, LA 70156, spoke in opposition to House Bill No. 5.

Representative Mike Johnson offered a motion to report House Bill No. 5 favorably. Without objection, House Bill No. 5 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support and 24 in opposition. Witness cards are included in the committee records.

House Bill No. 1 by Representative Bacala

Representative Villio offered a motion to voluntarily defer action on House Bill No. 1, which creates the Truth and Transparency in the Louisiana Criminal Justice System Program. Without objection, action on House Bill No. 1 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

House Bill No. 9 by Representative Villio

Representative Villio offered a motion to voluntarily defer action on House Bill No. 9, which provides relative to parole. Without objection, action on House Bill No. 9 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

House Bill No. 10 by Representative Villio

Representative Villio offered a motion to voluntarily defer action on House Bill No. 10, which provides relative to diminution of sentence. Without objection, action on House Bill No. 10 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

House Bill No. 11 by Representative Villio

Representative Villio offered a motion to voluntarily defer action on House Bill No. 11, which provides relative to sanctions for violation of probation or parole conditions. Without objection, action on House Bill No. 11 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 4:25 p.m.

Respectfully submitted,

Chair Debbie Villio
House Committee on Administration of Criminal Justice