

House Committee on Administration of Criminal Justice

Minutes of Meeting
2024 Second Extraordinary Session
February 21, 2024

I. CALL TO ORDER

Representative Debbie Villio, chair of the House Committee on Administration of Criminal Justice, called the meeting to order at 9:13 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:

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

III. DISCUSSION OF LEGISLATION

House Bill No. 1 by Representative Bacala

Representative Bacala presented House Bill No. 1, which creates the Truth and Transparency in the Louisiana Criminal Justice System Program.

Representative Bacala offered amendments to:

- (1) Make technical changes;
- (2) Provide that any and all matters in criminal courts for any case filed on or after January 1, 2020, shall be transmitted to the online portal maintained by the Louisiana Clerks' Remote Access Authority;
- (3) Include the clerk of the Juvenile Court for the Parish of Orleans as an entity responsible for the transmission of juvenile court records;
- (4) Provide that all minute entries of certain juvenile records shall be transmitted to the online portal maintained by the Louisiana Clerks' Remote Access Authority rather than the Department of the Justice;
- (5) Provide that the minute entries to be transmitted to the online portal maintained by the Louisiana Clerks' Remote Access Authority shall consist of any cases filed on or after January 1, 2024, that involve any of the following:
 - (a) Any juvenile accused of committing a crime of violence; and
 - (b) Any offense committed by a juvenile where the proceeding is open to the public pursuant to present law;
- (6) Provide that certain juvenile cases and records shall remain open to the public unless sealed by a court of competent jurisdiction or until such record is expunged;
- (7) Exempt from liability the Louisiana Clerks' Remote Access Authority, including its board members, employees, and agents along with any other state, local entity, or political subdivision that is responsible for providing information to the clerks of court;
- (8) Remove proposed law relative to Department of Justice's establishment of a publicly accessible website or online portal that provides public access to the minute entries and information of certain juvenile proceedings;

- (9) Change the effective date relative to the enforceability of the duties and obligations set forth in proposed law from 120 days after proposed law becomes effective to March 1, 2024;
- (10) Relative to the obligations of the Louisiana Clerks' Remote Access Authority, or its duly authorized representative, provide that on or before August 1, 2024, a written report is to be submitted to the speaker of the House of Representatives, the president of the Senate, and the governor with the following specific information:
 - (a) Details regarding the progress made by the Authority and the clerks of court towards compliance with the duties and obligations set forth in proposed law;
 - (b) Details regarding any anticipated work to be completed to meet the duties and obligations set forth in proposed law; and
 - (c) Details regarding any anticipated dates that all remaining clerks of court are expected to be able to meet pursuant to the duties and obligations set forth in proposed law;
- (11) Require the Louisiana Clerks' Remote Access Authority, or its duly authorized representative, to submit the written report at least every one hundred twenty days thereafter until all clerks of court achieve compliance with the duties and obligations of proposed law; and
- (12) Change the effective date from May 1, 2024, to March 1, 2024.

Representative Bacala offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Villio, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

Representative Knox offered an amendment to provide that the clerk of court shall comply with the provisions of Children's Code Article 412(B) when submitting the name of a juvenile who has been arrested but has not been adjudicated delinquent. Representative Knox offered a motion to adopt the proposed amendment, to which Representative Bacala objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 4 yeas and 7 nays. Representatives Knox, LaFleur, Moore, and Walters voted yea. Representatives Villio, Bacala, Boyer, Cox, Fontenot, Horton, and Wiley voted nay.

Representative LaFleur offered an amendment to remove the identity of defense counsel, if counsel is present, from the minute entries that are required to be disclosed pursuant to proposed law. Representative LaFleur offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 12 yeas and 0 nays. Representatives Villio, Bacala, Boyer, Cox, Fontenot, Horton, 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. 1.

Sherilyn Price, 36466 Jackson Rd., Slidell, LA 70460, spoke in support of House Bill No. 1.

Elisabeth Hansard, 12 Woodlake Blvd., Kenner, LA 71065, spoke in support of House Bill No. 1.

Dorothy White, 6841 Dorchester St., New Orleans, LA 70126, spoke in support of House Bill No. 1.

Sarah Whittington, Justice Accountability Center, 4035 Washington Ave., New Orleans, LA 70125, spoke in opposition to House Bill No. 1.

Natalie Sharp, 1024 Elysian Fields Ave., New Orleans, LA 70117, spoke in opposition to House Bill No. 1.

Katie Hunter-Lowrey, Louisiana Survivors for Reform, 1024 Elysian Fields Ave., New Orleans, LA 70117, spoke in opposition to House Bill No. 1.

Stephanie L. Willis, ACLU of Louisiana, P.O. Box 56157, New Orleans, LA 70156, spoke in opposition to House Bill No. 1.

Ashley Hamilton, Louisiana Center for Children's Rights, 1101-B Milton St., New Orleans, LA 70122, spoke in opposition to House Bill No. 1.

Bruce Reilly, 4930 Washington Ave., New Orleans, LA 70125, spoke in opposition to House Bill No. 1.

Jill Dennis, Assured Supervision Accountability Program, 723 S. Dupre St., New Orleans, LA 70119, spoke for information only on House Bill No. 1.

Ronald Marshall, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70119, spoke in opposition to House Bill No. 1.

Claude-Michael Comeau, Promise of Justice Initiative, 1024 Elysian Fields Ave., New Orleans, LA 70117, spoke in opposition to House Bill No. 1.

Tammy Jones, 9522 W. Coronado Dr., Baton Rouge, LA 70815, spoke in opposition to House Bill No. 1.

Dominique Johnson, Daughters Beyond Incarceration, 2129 Oretha Castle Haley Blvd., New Orleans, LA 70113, spoke in opposition to House Bill No. 1.

Artra Abraham, Daughters Beyond Incarceration, 2129 Oretha Castle Haley Blvd., New Orleans, LA 70113, spoke in opposition to House Bill No. 1.

Representative Bacala offered a motion to report House Bill No. 1 with amendments, to which Representative Walters objected. The administrative assistant called the roll, and House Bill No. 1 was reported with amendments 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: 8 in support and 28 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 1 pursuant to House Rule 14.33.

Representative LaFleur in the chair.

House Bill No. 9 by Representative Villio

Representative Villio presented House Bill No. 9, which provides relative to parole.

Representative Villio offered an amendment to specify that present law applies to offenses committed before August 1, 2024, rather than convictions rendered before August 1, 2024. Representative Villio offered a motion to adopt the proposed amendment. Without objection, the amendment was 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.

Amelia Herrera, 2804 Longridge Dr., Baton Rouge, LA 70809, spoke in opposition to House Bill No. 9.

Sarah Whittington, Justice Accountability Center, 4035 Washington Ave., New Orleans, LA 70125, spoke in opposition to House Bill No. 9.

Bruce Reilly, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, spoke in opposition to House Bill No. 9.

Sara Gozalo, 5315 Saint Anthony Ave., New Orleans, LA 70122, spoke in opposition to House Bill No. 9.

Scott Peyton, Right on Crime, 859 Hicks Rd., Washington, LA 70589, spoke in opposition to House Bill No. 9 and provided a handout, Exhibit A, which is included in the committee records.

Erica Navalance, Promise of Justice Initiative, 1024 Elysian Fields Ave., New Orleans, LA 70116, spoke in opposition to House Bill No. 9.

Anna Lellelid, attorney at law, 310 Lavoisier St., Gretna, LA 70053, spoke in opposition to House Bill No. 9.

Anisha Shetty, 1234 Henriette Delille St., New Orleans, LA 70116, spoke in opposition to House Bill No. 9.

Beatrice Taylor, 947 N. Bon Marche Dr., Baton Rouge, LA 70806, spoke in opposition to House Bill No. 9.

Ronald Marshall, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70119, spoke in opposition to House Bill No. 9.

Checo Yancy, 8383 Airline Hwy. #28, Baton Rouge, LA 70815, spoke in opposition to House Bill No. 9.

Michael Nelson, 2604 Shadowbrook Dr., Baton Rouge, LA 70816, spoke in opposition to House Bill No. 9.

Representative Villio offered a motion to report House Bill No. 9 with amendments, to which Representative Moore objected. The administrative assistant called the roll, and House Bill No. 9 was reported with amendments by a vote of 9 yeas and 5 nays. Representatives Villio, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Ventrella, and Wiley voted yea. Representatives Adams, Knox, LaFleur, Moore, and Walters voted nay.

Witness cards submitted by individuals who did not speak are as follows: 5 in support, 35 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 10 by Representative Villio

Representative Villio presented House Bill No. 10, which provides relative to diminution of sentence.

Representative Villio offered an amendment to provide that a person sentenced as a habitual offender under the Habitual Offender Law as set forth in present law shall not be eligible to receive diminution of sentence for good behavior up to a maximum amount of fifteen percent of the particular sentence imposed. Representative Villio offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 13 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

Representative Mark Wright, 312 S. Jefferson St., Ste. A & B, Covington, LA 70433, spoke in support of House Bill No. 10.

Joseph Marino, 200 Amelia St., Gretna, LA 70053, spoke in opposition to House Bill No. 10.

Deidre Thomas, 1024 Elysian Fields Ave., New Orleans, LA 70117, spoke in opposition to House Bill No. 10.

Stephanie L. Willis, ACLU of Louisiana, P.O. Box 56157, New Orleans, LA 70156, spoke in opposition to House Bill No. 10.

Chris Alexander, Louisiana Citizens Advocacy Group, P.O. Box 64952, Baton Rouge, LA 70896, spoke in opposition to House Bill No. 10.

Alyxandra Darensbourg, Orleans Public Defenders, 2601 Tulane Ave., New Orleans, LA 70119, spoke in opposition to House Bill No. 10.

Consuela Gaines, 105 Delphine St., Lafayette, LA 70506, spoke in opposition to House Bill No. 10.

Representative Villio offered a motion to report House Bill No. 10 with amendments, to which Representative Knox objected. The administrative assistant called the roll, and House Bill No. 10 was reported with amendments by a vote of 9 yeas and 5 nays. Representatives Villio, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Ventrella, and Wiley voted yea. Representatives Adams, Knox, LaFleur, Moore, and Walters voted nay.

Witness cards submitted by individuals who did not speak are as follows: 6 in support, 41 in opposition, and 3 for information only. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 10 pursuant to House Rule 14.33.

House Bill No. 11 by Representative Villio

Representative Villio presented House Bill No. 11, which provides relative to sanctions for violation of probation or parole conditions.

Representative Villio offered amendments to:

- (1) Make technical changes;
- (2) Relative to probation, clarify what is and is not a technical violation that may be addressed by an administrative sanction authorized by the court pursuant to present law; and
- (3) Relative to parole, clarify what is and is not a technical violation that may be addressed by an administrative sanction authorized by the committee on parole pursuant to present law.

Representative Villio offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

Bruce Reilly, 4950 Washington Ave., New Orleans, LA 70125, spoke in opposition to House Bill No. 11.

Checo Yancy, 8383 Airline Hwy. #28, Baton Rouge, LA 70815, spoke in opposition to House Bill No. 11.

Sarah Whittington, Justice Accountability Center, 4035 Washington Ave., New Orleans, LA 70125, spoke in opposition to House Bill No. 11.

Sarah Omojola, Vera Institute for Justice, 2021 Lakeshore Dr., New Orleans, LA 70122, spoke in opposition to House Bill No. 11.

Stanislav Moroz, Tulane University Law School, 6329 Freret St., New Orleans, LA 70118, spoke for information only on House Bill No. 11.

Representative Villio offered a motion to report House Bill No. 11 with amendments, to which Representative Knox objected. The administrative assistant called the roll, and House Bill No. 11 was reported with amendments by a vote of 10 yeas and 4 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Ventrella, and Wiley voted yea. Representatives Knox, LaFleur, Moore, and Walters voted nay.

Witness cards submitted by individuals who did not speak are as follows: 6 in support and 43 in opposition. Witness cards are included in the committee records.

IV. ANNOUNCEMENTS

There were no announcements.

V. ADJOURNMENT

The meeting was adjourned at 2:29 p.m.

Respectfully submitted,

Chair Debbie Villio
House Committee on Administration of Criminal Justice