

House Committee on Administration of Criminal Justice

Minutes of Meeting
2024 Second Extraordinary Session
February 27, 2024

I. CALL TO ORDER

Representative Vanessa Caston LaFleur, vice chair of the House Committee on Administration of Criminal Justice, called the meeting to order at 9:44 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

Senate Bill No. 8 by Senator Reese

Senator Reese presented Senate Bill No. 8, which creates the office of state public defender and transfer authority from the Louisiana Public Defender Board.

On behalf of Senator Reese, Representative Fontenot offered amendments to:

- (1) Make technical changes;
- (2) Clarify the meaning of the terms "public defender" or "indigent defender";
- (3) Provide that in addition to an appointment from the governor and senate confirmation, the state public defender shall be subject to the approval of a majority of the Louisiana Public Defender Oversight Board;
- (4) Provide that one of the members of the Louisiana Public Defender Oversight Board shall be appointed from a list of three nominees submitted to the governor by a joint resolution of the Public Defenders Association of Louisiana and the Louisiana Association of Criminal Defense Lawyers, rather than the majority of the district public defenders providing public defender services in this state;
- (5) Provide that the office shall employ or contract, for a period of up to five years, with a district public defender to provide for public defender services in each judicial district;
- (6) Relative to the adjustment of compensation, provide that the salaries and benefits in place on January 1, 2007, for each chief indigent defender shall continue as the beginning salary for each district public defender and shall not be decreased;
- (7) Delete provisions relative to the office's evaluation and duties pertaining to districts where there is no chief indigent defender employed; and
- (8) Relative to the hearing of a public defender who has been demoted or terminated, clarify that the board shall appoint a five-member hearing committee made up five board members.

Representative Fontenot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Boyer, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

Representative Fontenot offered an amendment to provide that the Louisiana Public Defender Oversight Board has the ability to approve contracts in an amount of two hundred fifty thousand dollars or more. Representative Fontenot offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Adams, Boyer, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

Pamela Metzger, Deason Criminal Justice Reform Center, Southern Methodist University Dedman School of Law, 3315 Daniel Ave., Dallas, TX 75205, spoke for information only on Senate Bill No. 8.

Malia N. Brink, Deason Criminal Justice Reform Center, Southern Methodist University Law School, 3315 Daniel Ave., Dallas, TX 75205, spoke for information only on Senate Bill No. 8.

Frank Thaxton, 5860 S. Lakeshore Dr. #6, Shreveport, LA 71119, spoke for information only on Senate Bill No. 8.

Representative Walters offered an amendment to provide that the office of the state public defender shall dedicate and disburse seventy-five percent, rather than sixty-five percent, of the entirety of its annual budget to the Louisiana Public Defender Fund. Representative Walters offered a motion to adopt the proposed amendment, to which Representative Fontenot objected. The administrative assistant called the roll, and the amendment was adopted by a vote of 11 yeas and 2 nays. Representatives Adams, Bacala, Boyer, Cox, Horton, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea. Representatives Fontenot and Mike Johnson voted nay.

Representative C. Denise Marcelle, 1824 N. Acadian Thwy. W., Baton Rouge, LA 70802, spoke in opposition to Senate Bill No. 8.

Tyronne Walker, Urban League of Louisiana, 4640 S. Carrollton Ave., New Orleans, LA 70119, spoke in opposition to Senate Bill No. 8.

Tony Champagne, chief defender, Terrebonne Parish Public Defender's Office, 504 Belanger St., Houma, LA 70360, spoke in opposition to Senate Bill No. 8.

Representative Fontenot in the chair.

Remy Voisin Starns, Louisiana Public Defender Board, 301 Main St., Ste. 700, Baton Rouge, LA 70802, spoke for information only on Senate Bill No. 8.

Tanya B. Clark, district chief, 23rd Judicial District Court, 828 S. Irma Blvd., Ste. 102, Gonzales, LA 70737, spoke in opposition to Senate Bill No. 8.

John W. Lindner, 22nd Public Defender, 402 N. Jefferson Ave., Covington, LA 70433, spoke in opposition to Senate Bill No. 8.

Richard Tompson, 24th Judicial District Public Defender, 848 2nd St., Gretna, LA 70053, spoke in opposition to Senate Bill No. 8.

Michelle Andrepont, Caddo Parish District Public Defender, 400 Travis St., Ste. 2000, Shreveport, LA 71101, spoke in opposition to Senate Bill No. 8.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 504 Lakeland Dr., Baton Rouge, LA 70802, spoke in opposition to Senate Bill No. 8.

Checo Yancy, Voice of the Experienced, 251 Florida St., Ste. 201, Baton Rouge, LA 70801, spoke in opposition to Senate Bill No. 8.

Representative Villio in the chair.

Danny Engelbert, 41st Judicial District Public Defender, 2601 Tulane Ave., New Orleans, LA 70119, spoke in opposition to Senate Bill No. 8.

Brett Brunson, 10th Judicial District Public Defender Office, 710 Third St., Natchitoches, LA 71457, spoke in opposition to Senate Bill No. 8.

Maggie Simon LeBlanc, district chief, 16th Judicial District Public Defender's Office, 301 E. St. Peter St., Ste. 101, New Iberia, LA 70560, spoke in opposition to Senate Bill No. 8.

Representative Fontenot offered a motion to report Senate Bill No. 8 with amendments, to which Representative Moore objected. The administrative assistant called the roll, and Senate Bill No. 8 was reported with amendments by a vote of 9 yeas and 4 nays. Representatives Villio, Bacala, Boyer, Cox, Fontenot, Horton, Mike Johnson, Ventrella, and Wiley voted yea. Representatives Adams, Knox, Moore, and Walters voted nay.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 13 in opposition.

IV. ANNOUNCEMENTS

There were no announcements.

V. ADJOURNMENT

The meeting was adjourned at 12:32 p.m.

Respectfully submitted,

Chair Debbie Villio
House Committee on Administration of Criminal Justice