

House Committee on Administration of Criminal Justice

Minutes of Meeting
2024 Regular Session
March 26, 2024

I. CALL TO ORDER

Representative Debbie Villio, chair of the House Committee on Administration of Criminal Justice, called the meeting to order at 9:37 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 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
Michael McCain, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 202 by Representative Carver

Representative Carver presented House Bill No. 202, which creates the crime of theft of United States Postal Service mail.

David Boneno, Louisiana Bankers Association, 5555 Bankers Ave., Baton Rouge, LA 70808, spoke in support of House Bill No. 202.

Representative Adams offered a motion to report House Bill No. 202 favorably. Without objection, House Bill No. 202 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Villio, Adams, Boyer, Cox, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 4 in opposition. Witness cards are included in the committee records.

House Bill No. 356 by Representative Boyd

Representative Boyd presented House Bill No. 356, which provides for time limitations for prosecution of third degree rape.

Representative Cox offered a motion to report House Bill No. 356 favorably. Without objection, House Bill No. 356 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Villio, Adams, Boyer, Cox, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

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

House Bill No. 97 by Representative McMakin

Representative McMakin presented House Bill No. 97, which provides relative to the crime of solicitation on certain highways and streets. Representative McMakin provided two handouts, Exhibit A and Exhibit B, which are included in the committee records.

Sarah Whittington, Justice and Accountability Center of Louisiana, 4035 Washington Ave., New Orleans, LA 70125, spoke in opposition to House Bill No. 97.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 504 Lakeland Dr., Baton Rouge, LA 70802, spoke in opposition to House Bill No. 97.

Representative Cox offered a motion to report House Bill No. 97 favorably. Without objection, House Bill No. 97 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Villio, Adams, Boyer, Cox, Horton, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

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

House Bill No. 541 by Representative Lyons

On behalf of Representative Lyons, Representative LaFleur presented House Bill No. 541, which amends the elements of nonconsensual disclosure of a private image.

Representative LaFleur offered an amendment to make technical changes. Representative LaFleur offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Villio, Adams, Boyer, Cox, Horton, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

Representative Knox offered a motion to report House Bill No. 541 with amendments. Without objection, House Bill No. 541 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Villio, Adams, Boyer, Cox, Horton, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

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

House Bill No. 542 by Representative Cox

Representative Cox presented House Bill No. 542, which provides for increased penalties for certain traffic-control signal violations.

Representative Cox offered amendments to:

- (1) Add a penalty of imprisonment of not more than six months when the violation results in serious bodily injury of another person; and
- (2) Add a penalty of imprisonment of not more than one year when the violation results in the death of another person.

Representative Cox offered a motion to adopt the proposed amendments. Without objection, the amendments were 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.

Wanda Capdeville, Bridges Family, 404 Brookmeade Dr., Gretna, LA 70056, spoke in support of House Bill No. 542.

Representative Adams offered a motion to report House Bill No. 542 with amendments. Without objection, House Bill No. 542 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Villio, Adams, Boyer, Cox, Fontenot, Horton, Knox, LaFleur, Moore, and Wiley voted yea.

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

House Bill No. 205 by Representative Glorioso

Representative Glorioso presented House Bill No. 205, which provides for the definition of the crime of racketeering.

Representative Villio offered an amendment to change the lead author of the original bill from Representative Villio to Representative Glorioso. Representative Villio 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, Adams, Bacala, Boyer, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

Christopher Holton, Center for Security Policy, 2701 Airline Dr., Ste. K, Metairie, LA 70001, spoke in support of House Bill No. 205.

Peter Robins-Brown, Louisiana Progress, 650 N. 6th St., Baton Rouge, LA 70802, spoke in opposition to House Bill No. 205.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 504 Lakeland Dr., Baton Rouge, LA 70802, spoke in opposition to House Bill No. 205.

Stephanie L. Willis, ACLU of Louisiana, P.O. Box 56157, New Orleans, LA 70156, spoke in opposition to House Bill No. 205.

Representative Cox offered a motion to report House Bill No. 205 with amendments, to which Representative Walters objected. The administrative assistant called the roll, and House Bill No. 205 was reported with amendments by a vote of 9 yeas and 4 nays. Representatives Villio, Bacala, Boyer, Cox, Fontenot, Horton, Knox, Ventrella, and Wiley voted yea. Representatives Adams, LaFleur, Moore, and Walters voted nay.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 7 in opposition. Witness cards are included in the committee records.

House Bill No. 212 by Representative Beullieu

Representative Beullieu presented House Bill No. 212, which provides relative to notification procedures in certain circumstances.

On behalf of Representative Beullieu, Representative Villio offered amendments to:

- (1) Make technical changes; and
- (2) Remove the proposed law relative to notification procedures for commutations or pardons granted by the governor.

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, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

Bo Duhe, 16th Judicial District Attorney, 300 Iberia St., Ste. 200, New Iberia, LA 70540, spoke in support of House Bill No. 212.

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. 212.

Representative Adams offered a motion to report House Bill No. 212 with amendments. Without objection, House Bill No. 212 was reported with amendments 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.

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.

Vice Chair LaFleur in the chair.

House Bill No. 211 by Representative Villio

Representative Villio presented House Bill No. 211, which provides relative to the Anti-Skimming Act.

Representative Bacala offered a motion to report House Bill No. 211 favorably. Without objection, House Bill No. 211 was reported favorably 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.

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

House Bill No. 214 by Representative Villio

Representative Villio presented House Bill No. 214, which provides relative to monetary instrument abuse.

David Boneno, Louisiana Bankers Association, 5655 Bankers Ave., Baton Rouge, LA 70808, spoke in support of House Bill No. 214.

Representative Adams offered a motion to report House Bill No. 214 favorably. Without objection, House Bill No. 214 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Villio, Adams, Boyer, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

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

Chair Villio in the chair.

House Bill No. 230 by Representative Hilferty

Representative Hilferty presented House Bill No. 230, which provides relative to changes for post conviction relief procedures.

Emma Devillier, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70053, spoke in support of House Bill No. 230.

Representative Cox offered a motion to report House Bill No. 230 favorably. Without objection, House Bill No. 230 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Villio, Adams, Bacala, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 4 in opposition. Witness cards are included in the committee records.

House Bill No. 213 by Representative Hilferty

Representative Hilferty presented House Bill No. 213, which provides relative to the crime of negligent homicide.

Emma Devillier, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70053, spoke in support of House Bill No. 213.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 504 Lakeland Dr., Baton Rouge, LA 70802, spoke in opposition to House Bill No. 213.

Zachary T. Daniels, executive director, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, spoke in support of House Bill No. 213.

Representative Adams offered a motion to report House Bill No. 213 favorably. Without objection, House Bill No. 213 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Villio, Adams, Bacala, Cox, Fontenot, Horton, LaFleur, Moore, Ventrella, and Wiley voted yea.

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

House Bill No. 173 by Representative Fontenot

Representative Fontenot presented House Bill No. 173, which creates the crime of approaching a peace officer lawfully engaged in law enforcement duties.

Representative Fontenot offered amendments to:

- (1) Make technical changes;
- (2) Change references from "law enforcement officer" to "peace officer"; and
- (3) Replace the definition of law enforcement officer with cross-reference to definition of "peace officer".

Representative Fontenot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Villio, Adams, Bacala, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Ventrella, and Wiley voted yea.

Darrell Basco, Louisiana Fraternal Order of Police, 2205 Military Hwy., Pineville, LA 71360, spoke in support of House Bill No. 173.

Bruce Reilly, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, spoke in opposition to House Bill No. 173.

Terry Landry, Jr., Southern Poverty Law Center Action Fund, 201 St. Charles Ave., New Orleans, LA 70130, spoke in opposition to House Bill No. 173.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 504 Lakeland Dr., Baton Rouge, LA 70802, spoke in opposition to House Bill No. 173.

Stephanie L. Willis, ACLU of Louisiana, P.O. Box 56157, New Orleans, LA 70156, spoke in opposition to House Bill No. 173.

Representative Fontenot offered a motion to report House Bill No. 173 with amendments. Without objection, House Bill No. 173 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Villio, Adams, Bacala, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support and 6 in opposition. Witness cards are included in the committee records.

House Bill No. 343 by Representative Bacala

Representative Bacala presented House Bill No. 343, which provides relative to the adoption of national standards for criminal adjudications. Representative Bacala presented House Bill No. 343 in the form of a substitute bill.

Glenn Ansardi, Louisiana District Judges Association, 400 Royal St., Ste. 1190, New Orleans, LA 70130, spoke for information only on House Bill No. 343.

Zachary T. Daniels, executive director, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, spoke in opposition to House Bill No. 343.

Representative Bacala offered amendments in the form of a substitute bill. Representative Bacala offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 11 yeas and 0 nays. Representatives Villio, Adams, Bacala, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

Bruce Reilly, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, spoke in support of House Bill No. 343, and provided a handout, Exhibit C, which is included in the committee records.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 504 Lakeland Dr., Baton Rouge, LA 70802, spoke in opposition to House Bill No. 343.

Representative Bacala offered a motion to report House Bill No. 343 by substitute. Without objection, House Bill No. 343 was reported by substitute 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.

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

IV. ANNOUNCEMENTS

There were no announcements.

V. ADJOURNMENT

The meeting was adjourned at 12:22 p.m.

Respectfully submitted,

Chair Debbie Villio
House Committee on Administration of Criminal Justice