

House Committee on Administration of Criminal Justice

Minutes of Meeting
2024 Regular Session
March 27, 2024

I. CALL TO ORDER

Representative Debbie Villio, chair of the House Committee on Administration of Criminal Justice, called the meeting to order at 9:32 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 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:

Representative Vincent E. Cox, III

STAFF MEMBERS PRESENT:

Zachary Gonzalez, attorney
Stephanie Weinman, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

None

III. DISCUSSION OF LEGISLATION

House Bill No. 224 by Representative Kerner

On behalf of the author, Representative Villio offered a motion to voluntarily defer action on House Bill No. 224, which prohibits ownership of any animal by a person who has been convicted of cruelty to animals. Without objection, action on House Bill No. 224 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Fontenot, Horton, Knox, and Wiley voted yea.

House Bill No. 585 by Representative Wilford Carter

On behalf of the author, Representative Villio offered a motion to voluntarily defer action on House Bill No. 585, which provides for the factors in fixing the amount of bail and modifications of bail. Without objection, action on House Bill No. 585 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Fontenot, Horton, Knox, and Wiley voted yea.

House Bill No. 12 by Representative Jordan

Representative Jordan presented House Bill No. 12, which provides relative to the crime of nonconsensual disclosure of a private image.

Representative Bacala offered an amendment to provide that a person commits the offense of nonconsensual disclosure of a private image if the person is seventeen years of age or older who is identifiable from the image or information displayed in connection with the image or who is engaged in a sexual performance or whose intimate parts are exposed in whole or in part. After discussion, Representative Bacala withdrew the amendment.

Representative Knox offered a motion to report House Bill No. 12 favorably. Without objection, House Bill No. 12 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Fontenot, Horton, Knox, Walters, 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. 58 by Representative Bacala

Representative Bacala presented House Bill No. 58, which provides relative to simple burglary.

Sarah Whittington, Justice and Accountability Center of Louisiana, 4035 Washington Ave., New Orleans, LA 70125, spoke in opposition to House Bill No. 58.

Representative Knox offered a motion to report House Bill No. 58 favorably. Without objection, House Bill No. 58 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Fontenot, Horton, Knox, Walters, and Wiley voted yea.

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

House Bill No. 99 by Representative Bacala

Representative Bacala presented House Bill No. 99, which provides relative to contradictory bail hearings for certain persons.

Glenn Ansardi, Louisiana District Judges Association, 400 Royal St., New Orleans, LA 70130, spoke for information only on House Bill No. 99.

Representative Villio offered a motion to voluntarily defer action on House Bill No. 99. Without objection, action on House Bill No. 99 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Horton, Knox, and Wiley voted yea.

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

Further action was taken by the committee on House Bill No. 99 at a meeting held on April 3, 2024. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 99.

House Bill No. 226 by Representative Mandie Landry

Representative Mandie Landry presented House Bill No. 226, which increases the penalties for public bribery.

Representative Bacala offered a motion to report House Bill No. 226 favorably. Without objection, House Bill No. 226 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Fontenot, Horton, Knox, Ventrella, 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. 736 by Representative Knox

Representative Knox presented House Bill No. 736, which provides for the availability of certain education and training services for adjudicated children.

Representative Bacala offered a motion to report House Bill No. 736 favorably. Without objection, House Bill No. 736 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Fontenot, Horton, Knox, Moore, and Wiley voted yea.

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

House Bill No. 94 by Representative Willard

Representative Willard presented House Bill No. 94, which provides relative to birth certificates and state identification for children leaving custody of the office of juvenile justice.

Representative Knox offered a motion to report House Bill No. 94 favorably. Without objection, House Bill No. 94 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Fontenot, Horton, Knox, Moore, Ventrella, and Wiley voted yea.

Witness cards submitted by individuals who did not speak are as follows: 16 in support. Witness cards are included in the committee records.

House Bill No. 553 by Representative Bryant

Representative Bryant presented House Bill No. 553, which provides relative to the disposition of certain records for seventeen year old offenders.

On behalf of the author, Representative Villio offered amendments to:

- (1) Make technical changes;
- (2) Define the term "expedited expungement";
- (3) Exempt a person who is eligible for an expedited expungement from the expungement fees provided in present law;
- (4) Change the term "automatic expungement" to "expedited expungement";
- (5) Removes proposed law criteria for an expedited expungement relative to the dismissal or entry of nolle prosequi of a charge forming the basis of an arrest;
- (6) Add the following eligibility criteria for an expedited expungement:

- (a) The district attorney, for any reason, declined to prosecute all offenses arising out of that arrest, including the reason that the person successfully completed a pretrial diversion program;
 - (b) Prosecution was instituted and such proceedings have been finally disposed of by dismissal, sustaining of a motion to quash, or acquittal;
- (7) Clarify that a person is not eligible for an expedited expungement if any misdemeanor or felony conviction arises from the incident of his arrest or if he is arrested for any sex offense; and
- (8) Clarify that the expedited expungement shall be served pursuant to the provisions of present law.

Representative Villio offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Horton, Knox, Moore, Ventrella, and Wiley voted yea.

On behalf of the author, Representative Villio offered an amendment to add an expungement form for expedited expungements. Representative Villio offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Horton, Knox, Moore, Ventrella, and Wiley voted yea.

Representative Boyer offered a motion to report House Bill No. 553 with amendments. Without objection, House Bill No. 553 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Horton, Knox, Moore, Ventrella, and Wiley voted yea.

Witness cards submitted by individuals who did not speak are as follows: 11 in support and 1 for information only. Witness cards are included in the committee records.

The committee stood at ease at 10:25 a.m. The committee reconvened at 10:31 a.m.

Vice Chair LaFleur in the chair.

House Bill No. 208 by Representative Villio

Representative Villio presented House Bill No. 208, which provides relative to additional penalties for certain domestic violence offenses.

Darren Allemand, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70053, spoke in support of House Bill No. 208.

Brandi Melissa, P.O. Box 1171, Baton Rouge, LA 70821, spoke in support of House Bill No. 208.

Representative Ventrella offered a motion to report House Bill No. 208 favorably. Without objection, House Bill No. 208 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Fontenot, Horton, Knox, LaFleur, Moore, Ventrella, and Wiley voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 2 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 208 pursuant to House Rule 14.33.

Chair Villio in the chair.

House Bill No. 415 by Representative Fontenot

Representative Fontenot offered a motion to voluntarily defer action on House Bill No. 415, which provides relative to the refusal to accept surrender of surety. Without objection, action on House Bill No. 415 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Fontenot, Horton, Knox, LaFleur, Moore, and Wiley voted yea.

House Bill No. 445 by Representative Fontenot

Representative Fontenot presented House Bill No. 445, which provides relative to bond forfeiture.

Representative Fontenot offered an amendment to change the time period for filing a rule to show cause from 360 days to five years after the notice of warrant is sent. 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 Villio, Adams, Bacala, Boyer, Fontenot, Horton, Knox, LaFleur, Moore, and Wiley voted yea.

Representative Fontenot offered a motion to report House Bill No. 445 with amendments. Without objection, House Bill No. 445 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Fontenot, Horton, Knox, LaFleur, Moore, 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. 497 by Representative Fontenot

Representative Fontenot presented House Bill No. 497, which provides relative to constructive surrender.

Representative Fontenot offered an amendment to provide for a summary proceeding against both the principal and the surety in accordance with present law to recover reasonable or actual costs if the surety fails to pay a set amount of the reasonable or actual costs.

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 Villio, Adams, Bacala, Boyer, Fontenot, Horton, Knox, LaFleur, Moore, and Wiley voted yea.

Steve Adams, Association of Louisiana Bail Underwriters, 620 Florida St., Ste. 110, Baton Rouge, LA 70801, spoke in support of House Bill No. 497.

Representative Fontenot offered a motion to report House Bill No. 497 with amendments. Without objection, House Bill No. 497 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, 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. 505 by Representative Fontenot

Representative Fontenot presented House Bill No. 505, which provides relative to electronic bonds.

Representative Fontenot offered a motion to report House Bill No. 505 favorably. Without objection, House Bill No. 505 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Villio, Adams, Bacala, Boyer, Fontenot, Horton, Knox, LaFleur, Moore, and Wiley voted yea.

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

IV. ANNOUNCEMENTS

There were no announcements.

V. ADJOURNMENT

The meeting was adjourned at 10:54 a.m.

Respectfully submitted,

Chair Debbie Villio
House Committee on Administration of Criminal Justice