

House Committee on Administration of Criminal Justice

Minutes of Meeting
2024 Regular Session
April 9, 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 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
Angela McKnight, sergeant at arms
Michael McCain, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 604 by Representative Green

On behalf of the author, Representative Villio offered a motion to voluntarily defer action on House Bill No. 604, which provides relative to the carrying of weapons by a convicted felon. Without objection, action on House Bill No. 604 was voluntarily deferred 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.

House Bill No. 125 by Representative Bayham

Representative Bayham presented House Bill No. 125, which provides relative to the penalties for battery of a bus operator.

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

- (1) Clarify that the present law crime applies when committed on a bus operator while the operator is operating a bus;
- (2) Clarify that the term of imprisonment is with or without hard labor; and
- (3) Add a technical amendment.

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

Representative Wiley offered an amendment to provide that whoever commits the crime of battery on a bus operator while the operator is operating a bus shall be imprisoned for not less than seventy-two hours. Representative Wiley 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, Bacala, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

Representative Knox offered a motion to report House Bill No. 125 with amendments. Without objection, House Bill No. 125 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Villio, Adams, Bacala, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 3 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 125 pursuant to House Rule 14.33.

House Bill No. 127 by Representative Bayham

Representative Bayham presented House Bill No. 127, which provides relative to the penalties for the crime of simple obstruction of a highway of commerce.

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

- (1) Change the maximum penalty from nine months to six months for any person who places anything or performs any act that constitutes the crime of simple obstruction of a highway of commerce;
- (2) Clarify that the term of imprisonment is with or without hard labor for any person who coordinates, organizes, or plans the placement of anything or performance of any act that constitutes the crime of simple obstruction of a highway of commerce; and
- (3) Provide that the crime of simple obstruction of a highway of commerce shall not apply to an employee or contractor of any public utility or a provider of electric utility services, communications, telecommunications, video, or information services, to the extent that the employee or contractor is acting on behalf of such entity in a road, highway, or thoroughfare.

Representative Villio 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, Walters, and Wiley voted yea.

Bruce Reilly, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, spoke in opposition to House Bill No. 127.

Devin Davis, Voters Organized to Educate, 4930 Washington Ave., New Orleans, LA 70125, spoke in opposition to House Bill No. 127.

Representative Horton offered a motion to report House Bill No. 127 with amendments, to which Representative LaFleur objected. The administrative assistant called the roll, and House Bill No. 127 was reported with amendments by a vote of 9 yeas and 4 nays. Representatives Villio, Adams, Bacala, Boyer, Cox, Fontenot, Horton, 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 4 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 127 pursuant to House Rule 14.33.

House Bill No. 631 by Representative Marcelle

Representative Marcelle presented House Bill No. 631, which provides relative to sentencing for victims of domestic abuse, human trafficking, or sexual assault.

Stanislav Moroz, 1022 Saint Ferdinand St., New Orleans, LA 70117, spoke in support of House Bill No. 631.

Mary-Patricia Wray, Louisiana Survivors of Reform, 711 N. 6th St., Baton Rouge, LA 70802, spoke in support of House Bill No. 631.

Sandra Starr, 1024 Elysian Fields Ave., New Orleans, LA 70117, spoke in support of House Bill No. 631.

Rebecca Cleary, SOAR Institute, 2938 Orleans Ave., New Orleans, LA 70119, spoke in support of House Bill No. 631.

Beatrice Taylor, 947 N. Bon Marche Dr., Apt. 318, Baton Rouge, LA 70806, spoke in support of House Bill No. 631.

Chief Tommy Clark, Jr., chairman, Louisiana Human Trafficking Commission and Advisory Board, 127 King St., Grambling, LA 71245, spoke in support of House Bill No. 631.

Leanne McCallum Desselle, 1625 S. Salcedo St., New Orleans, LA 70125, spoke in support of House Bill No. 631.

Edna Gibson, 136 Hummingbird Ln., Apt. B, Lafayette, LA 70506, spoke in support of House Bill No. 631.

Amanda Tonkovich, 2475 Canal St., Ste. 202, New Orleans, LA 70119, spoke in support of House Bill No. 631.

Mariah Wineski, Louisiana Coalition Against Domestic Violence, P.O. Box 77308, Baton Rouge, LA 70879, spoke of House Bill No. 631.

Deidre Thomas, Louisiana Survivors for Reform, 1024 Elysian Fields Ave., New Orleans, LA 70117, spoke in support of House Bill No. 631.

Zachary T. Daniels, executive director, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, spoke in opposition to House Bill No. 631.

Representative Walters offered a motion to report House Bill No. 631 favorably, to which Representative Villio objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 6 yeas and 7 nays. Representatives Adams, Cox, Knox, LaFleur, Moore, and Walters voted yea. Representatives Villio, Bacala, Boyer, Fontenot, Horton, Ventrella, and Wiley voted nay.

Witness cards submitted by individuals who did not speak are as follows: 16 in support and 3 in opposition. Witness cards are included in the committee records.

House Bill No. 824 by Representative Marcelle

Representative Marcelle presented House Bill No. 824, which provides relative to penalties for the unlawful disruption of the operation of a school.

Representative Knox offered a motion to report House Bill No. 824 favorably. Without objection, House Bill No. 824 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Villio, Bacala, Cox, Fontenot, Knox, LaFleur, Moore, Ventrella, and Wiley voted yea.

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

House Bill No. 585 by Representative Wilford Carter

Representative Wilford Carter presented House Bill No. 585, which provides for the factors in fixing the amount of bail and modifications of bail.

Amelia Herrera, 251 Florida St., Baton Rouge, LA 70802, spoke in opposition to House Bill No. 585.

Representative LaFleur offered a motion to report House Bill No. 585 favorably, to which Representative Fontenot objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 5 yeas and 6 nays. Representatives Knox, LaFleur, Moore, Ventrella, and Walters voted yea. Representatives Villio, Bacala, Boyer, Fontenot, Horton, and Wiley voted nay.

Witness cards submitted by individuals who did not speak are as follows: 12 in support and 5 in opposition. Witness cards are included in the committee records.

House Bill No. 816 by Representative Wilford Carter

Representative Wilford Carter presented House Bill No. 816, which provides relative to residential contractor fraud.

Representative LaFleur offered a motion to report House Bill No. 816 favorably. Without objection, House Bill No. 816 was reported favorably 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.

House Bill No. 776 by Representative Bryant

Representative Bryant presented House Bill No. 776, which provides relative to operating a vehicle while intoxicated.

Norma B. DuBois, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70053, spoke in support of House Bill No. 776.

On behalf of the author, Representative Villio offered an amendment to provide relative to the unlawful refusal to submit to chemical tests, to change the present law reference from the first offense of operating a vehicle while intoxicated to underage operating a vehicle while intoxicated. 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, Bacala, Boyer, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

Judge Jules Edwards, P.O. Box 90443, Lafayette, LA 70509, spoke for information only on House Bill No. 776.

Representative Villio offered a motion to report House Bill No. 776 with amendments. Without objection, House Bill No. 776 was reported with amendments 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.

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

House Bill No. 60 by Representative Edmonston

Representative Edmonston presented House Bill No. 60, which provides relative to the unauthorized use of sperm, ovum, or embryo.

On behalf of the author, Representative Villio offered an amendment to provide an additional exception to present law for a spouse who requests the use of human ova or sperm of the other spouse in order to conceive a child. 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, Bacala, Boyer, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Ventrella, Walters, and Wiley voted yea.

Joanne Chavez, 13215 Dutchtown Lakes Dr., Geismar, LA 70734, spoke in support of House Bill No. 60.

Representative Knox offered a motion to report House Bill No. 60 with amendments. Without objection, House Bill No. 60 was reported with amendments 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.

Witness cards submitted by individuals who did not speak are as follows: 8 in support and 4 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 60 pursuant to House Rule 14.33.

House Bill No. 224 by Representative Kerner

Representative Kerner presented House Bill No. 224, which prohibits ownership of any animal by a person who has been convicted of cruelty to animals.

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

- (1) Make technical changes;
- (2) Provide that a court has discretion to issue an order as follows:
 - (a) Prohibiting a defendant convicted of simple cruelty of animals from owning or keeping animals for a period of not more than one year;
 - (b) Prohibiting a defendant convicted of a second or subsequent offense of simple cruelty of animals from owning or keeping animals for a period of not more than five years;
 - (c) Prohibiting a defendant convicted of aggravated cruelty of animals from owning or keeping animals for a period of not more than 10 years;
- (3) Remove proposed law penalties that prohibit the following:
 - (a) The owning or keeping of animals for a period of five years for a second offense and 10 years for a subsequent offense for a defendant convicted of simple cruelty of animals;
 - (b) The owning or keeping of animals for a period of 10 years and for the remainder of life for a subsequent offense for a defendant convicted of

aggravated cruelty of animals; and

- (4) Remove proposed law penalties for the violation of a court order that prohibits ownership or keeping of animals for a person convicted of simple cruelty of animals or aggravated cruelty of animals.

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

Representative Bacala offered a motion to report House Bill No. 224 with amendments. Without objection, House Bill No. 224 was reported with amendments 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.

House Bill No. 830 by Representative Egan

Representative Egan presented House Bill No. 830, which adds Tianeptine to Schedule I of the Uniform Controlled Dangerous Substance Law.

Representative Bacala offered a motion to report House Bill No. 830 favorably. Without objection, House Bill No. 830 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Villio, Bacala, Boyer, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

House Bill No. 852 by Representative Mandie Landry

On behalf of the author, Representative Wiley presented House Bill No. 852, which increases the penalties for malfeasance in office.

Representative Bacala offered a motion to report House Bill No. 852 favorably. Without objection, House Bill No. 852 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Villio, Bacala, Boyer, Cox, Fontenot, Horton, Knox, LaFleur, Moore, Walters, and Wiley voted yea.

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

House Bill No. 639 by Representative Fontenot

Representative Fontenot presented House Bill No. 639, which provides relative to the refusal of an operator of a motor vehicle to provide identification to an officer.

Stephanie L. Willis, ACLU of Louisiana, P.O. Box 56157, New Orleans, LA 70152, spoke in

opposition to House Bill No. 639.

Captain Bryan Lee, Louisiana State Police, 7919 Independence Blvd., Baton Rouge, LA 70806, spoke for information only on House Bill No. 639.

Checo Yancy, Voice of the Experienced, 251 Florida St., #201, Baton Rouge, LA 70801, spoke in opposition to House Bill No. 639.

Representative Fontenot offered a motion to report House Bill No. 639 favorably, to which Representative Knox objected. The administrative assistant called the roll, and House Bill No. 639 was reported favorably by a vote of 9 yeas and 3 nays. Representatives Villio, Bacala, Boyer, Cox, Fontenot, Horton, Ventrella, Walters, and Wiley voted yea. Representatives Knox, LaFleur, and Moore voted nay.

Witness cards submitted by individuals who did not speak are as follows: 11 in support and 3 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 639 pursuant to House Rule 14.33.

IV. ANNOUNCEMENTS

There were no announcements.

V. ADJOURNMENT

The meeting was adjourned at 12:54 p.m.

Respectfully submitted,

Chair Debbie Villio
House Committee on Administration of Criminal Justice