

House Committee on Judiciary

Minutes of Meeting
2017 Regular Session
May 3, 2017

I. CALL TO ORDER

Representative Katrina R. Jackson, chairman of the House Committee on Judiciary, called the meeting to order at 1:02 p.m. in Room 1, in the State Capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Katrina R. Jackson, chairman
Representative John H. Bagneris
Representative Chad Brown
Representative Gary M. Carter, Jr.
Representative Robby Carter
Representative Jimmy Harris
Representative Lowell C. "Chris" Hazel
Representative Robert A. Johnson
Representative Tanner D. Magee
Representative Joseph A. Marino, III
Representative John C. "Jay" Morris, III, vice chairman
Representative Jerome "Zee" Zeringue

MEMBERS ABSENT:

Representative Jean-Paul P. Coussan
Representative Randal L. Gaines
Representative Valarie Hodges
Representative Christopher J. Leopold
Representative Robert E. Shadoin

STAFF MEMBERS PRESENT:

Lisha Landry, attorney
Michelle Fontenot, legal division director
Diane Merritt, secretary
Sherrill Roussel, administrative secretary

ADDITIONAL ATTENDEES PRESENT:

Beverly Vincent, sergeant at arms
Clementine Johnson, sergeant at arms
Danny Leming, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 141 by Representative Gregory Miller**

(This is a continuation of discussion on House Bill No. 141 from an earlier meeting on April 20, 2017. Please check for the prior action to complete the record of discussion and motions on House Bill No. 141.)

Representative Gregory Miller presented House Bill No. 141, which provides relative to the submission of delinquency records to certain officials of the school where the child is enrolled.

Lisha Landry, staff attorney, explained proposed amendments to only apply to sexual and violent offenses and to provide for student privacy data.

Representative Jay Morris offered the proposed amendments for adoption. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Jackson, Bagneris, Chad Brown, Robby Carter, Jimmy Harris, Hazel, Johnson, Magee, Marino, Jay Morris, and Zeringue voted yea.

After a lengthy discussion, Representative Jay Morris offered a motion to voluntarily defer action on House Bill No. 141. Without objection, action on House Bill No. 141 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Jackson, Bagneris, Chad Brown, Robby Carter, Jimmy Harris, Hazel, Johnson, Magee, Marino, Jay Morris, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support, 12 in opposition, and 2 for information only.

House Bill No. 96 by Representative Bacala

(This is a continuation of discussion on House Bill No. 96 from an earlier meeting on April 27, 2017. Please check for the prior action to complete the record of discussion and motions on House Bill No. 96.)

Representative Bacala presented House Bill No. 96, which provides relative to polygraph examinations of law enforcement officers while under investigation.

Lisha Landry, staff attorney, explained an amendment to clarify that when an officer is compelled to submit to a polygraph exam under the threat of disciplinary action for refusal to take a polygraph exam, then the polygraph exam shall not be considered an interrogation if the officer was afforded the opportunity to retain counsel in accordance with the provisions of the officer bill of rights.

Representative Marino offered the proposed amendment for adoption. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Jackson, Bagneris, Chad Brown, Gary Carter, Robby Carter, Jimmy Harris, Hazel, Johnson, Magee, Marino, Jay Morris, and Zeringue voted yea.

After a lengthy discussion, Representative Magee offered a motion to report House Bill No. 96 with amendments, to which Representative Gary Carter objected. The secretary called the roll, and the motion failed to pass by a vote of 4 yeas and 8 nays. Representatives Magee, Marino, Jay Morris, and Zeringue voted yea. Representatives Jackson, Bagneris, Chad Brown, Gary Carter, Robby Carter, Jimmy Harris, Hazel, and Johnson voted nay.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 4 in opposition.

IV. OTHER BUSINESS

Carlton J. Miller, policy advisor, Louisiana Governor's Office, State Capitol, 4th floor, Baton Rouge, LA 70804, introduced John Legend, an award winning musician, who came to Louisiana to testify in support of the criminal justice reinvestment task force.

John Legend stated that he has set out on a campaign to end mass incarceration. He said that mass incarceration is ineffective, harmful, and expensive. He encouraged the committee to push for the more sweeping reforms originally sought. "I believe every person deserves a second chance," he said. "I hope that you will be a part of the reason that Louisiana moves away from being the nation's lead in incarceration. I hope that you will be able to help us build a better narrative, one that recognizes that mass incarceration doesn't make us safer but actually makes us more vulnerable, it destroys communities, wastes resources, separates families and ruins lives."

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 2:50 p.m.

Respectfully submitted,

Chairman Katrina R. Jackson
House Committee on Judiciary