

## **House Committee on Administration of Criminal Justice**

Minutes of Meeting  
2023 Regular Session  
April 26, 2023

### **I. CALL TO ORDER**

Representative Joseph A. Marino, III, chairman of the House Committee on Administration of Criminal Justice, called the meeting to order at 9:05 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Joseph A. Marino, III, chairman  
Representative Tony Bacala, vice chairman  
Representative Marcus Anthony Bryant  
Representative Kathy Edmonston  
Representative Bryan Fontenot  
Representative Raymond E. Garofalo, Jr.  
Representative Jonathan Goudeau, I  
Representative Valarie Hodges  
Representative Dodie Horton  
Representative Alonzo L. Knox  
Representative Vanessa Caston LaFleur  
Representative C. Denise Marcelle  
Representative Nicholas Muscarello, Jr.  
Representative Alan Seabaugh  
Representative Debbie Villio

#### **MEMBERS ABSENT:**

None

#### **STAFF MEMBERS PRESENT:**

Katie LeLeux, attorney  
Zachary Gonzalez, attorney  
Stephanie Weinman, committee administrative assistant

**ADDITIONAL ATTENDEES PRESENT:**

Janet Anthony, sergeant at arms  
Michael McCain, clerk  
Allie Eaves, clerk

**III. DISCUSSION OF LEGISLATION****House Concurrent Resolution No. 7 by Representative Charles Owen**

Representative Charles Owen presented House Concurrent Resolution No. 7, which memorializes Congress to take necessary actions to halt the influx of fentanyl from Mexico and China into the United States.

Representative Bacala offered a motion to report House Concurrent Resolution No. 7 favorably. Without objection, House Concurrent Resolution No. 7 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Fontenot, Goudeau, Hodges, Horton, Knox, LaFleur, Seabaugh, and Villio voted yea. Representative Marino abstained.

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

**House Bill No. 488 by Representative Farnum**

Representative Farnum presented House Bill No. 488, which provides relative to inspections of riverboats.

Chairman Ronnie Johns, Louisiana Gaming Control Board, 7901 Independence Blvd., Baton Rouge, LA 70806, (225) 333-8882, spoke for information only on House Bill No. 488.

Representative Bryant offered a motion to report House Bill No. 488 favorably. Without objection, House Bill No. 488 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Fontenot, Goudeau, Hodges, Horton, Knox, LaFleur, and Villio voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 1 in support, 2 in opposition, and 2 for information only. Witness cards are included in the committee records.

**House Bill No. 498 by Representative Stefanski**

At the request of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 498, which provides relative to a mandatory minimum bail amount for certain

offenses. Without objection, action on House Bill No. 498 was voluntarily deferred by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Fontenot, Goudeau, Hodges, Horton, Knox, LaFleur, and Villio voted yea. Representative Marino abstained.

#### **House Bill No. 147 by Representative Wright**

At the request of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 147, which provides relative to the time period for disciplinary offenses prior to an offender being considered for parole. Without objection, action on House Bill No. 147 was voluntarily deferred by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Fontenot, Goudeau, Hodges, Knox, LaFleur, and Villio voted yea. Representative Marino abstained.

#### **House Bill No. 151 by Representative Wright**

At the request of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 151, which provides relative to denial of parole. Without objection, action on House Bill No. 151 was voluntarily deferred by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Fontenot, Goudeau, Hodges, Knox, LaFleur, and Villio voted yea. Representative Marino abstained.

#### **House Bill No. 66 by Representative Villio**

At the request of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 66, which provides relative to forfeiture of good time credit. Without objection, action on House Bill No. 66 was voluntarily deferred by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Fontenot, Garofalo, Goudeau, Hodges, Knox, LaFleur, and Villio voted yea. Representative Marino abstained.

*Representative Bacala in the chair.*

#### **House Bill No. 321 by Representative Villio**

Representative Villio presented House Bill No. 321, which creates the Truth and Transparency in the Louisiana Criminal Justice System Pilot Program.

Representative Villio offered an amendment to require the clerk of court for the Juvenile Court of the parish of Orleans to provide electronic access to all minute entries involving any and all matters involving juveniles accused of having committed a delinquent act. Representative Villio offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Bacala, Bryant, Edmonston, Fontenot, Garofalo, Goudeau, Hodges, Knox, LaFleur, and Villio voted yea.

Representative Villio offered amendments to:

- (1) Require the records and reports in juvenile delinquency cases involving a crime of violence or a delinquent act which is a second or subsequent felony-grade adjudication to be made available to the public; and
- (2) Provide that records and reports pertaining to medical records of the juvenile, mental health of the juvenile, social records of the juvenile, and any records related to the victim of the crime shall not be made available to the public.

Representative Villio offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Bacala, Bryant, Edmonston, Fontenot, Garofalo, Goudeau, Hodges, Knox, LaFleur, and Villio voted yea.

Representative Villio offered amendments to:

- (1) Remove proposed law language regarding access to documents, records, and databases and provide for access to minute entries;
- (2) Provide for what the term "minute entries" includes; and
- (3) Provide that the clerks of court and the Department of Justice shall be immune from any suits arising from any actions or omissions related to proposed law.

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 Bacala, Bryant, Edmonston, Fontenot, Garofalo, Goudeau, Hodges, Knox, LaFleur, Muscarello, Seabaugh, and Villio voted yea.

Sherilyn Price, 36466 Jackson Rd., Slidell, LA 70460, (504) 289-3526, spoke in support of House Bill No. 321.

Patrick Dennis, 2302 St. Charles Ave. #2B, New Orleans, LA 70130, (504) 352-9372, spoke in support of House Bill No. 321.

Cortez M. Collins, Sr., 249 Brookbriar Dr., Shreveport, LA 71107, (318) 222-3624, spoke in support of House Bill No. 321.

*Representative Marino in the chair.*

Elisabeth Hansara, 6151 Charlotte Dr., New Orleans, LA 70122, (312) 513-0698, spoke in support of House Bill No. 321.

Nadia Sanchez, 7815 Leonard Ave., Metairie, LA 70003, (904) 508-4883, spoke in support of House Bill No. 321.

Louisiana Attorney General Jeff Landry, Louisiana Department of Justice, 1885 N. 3rd St., Baton Rouge, LA 70804, (225) 326-6077, spoke in support of House Bill No. 321.

Laura Cannizzaro Rodrigue, no address provided, (504) 236-0389, spoke in support of House Bill No. 321.

Bruce Reilly, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, (504) 758-9420, spoke in support of House Bill No. 321.

Judge Gail Grover, Juvenile Court of East Baton Rouge Parish, 8333 Veterans Memorial Blvd., Baton Rouge, LA 70807, (225) 354-1208, spoke for information only on House Bill No. 321.

Jack Harrison, Louisiana State University Law Center, 1 E. Campus Dr. #W153, Baton Rouge, LA 70803, (225) 933-2644, spoke for information only on House Bill No. 321.

*Representative Bacala in the chair.*

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 504 Lakeland Dr., Baton Rouge, LA 70802, (504) 343-7175, spoke in opposition to House Bill No. 321.

Will Snowden, Vera Institute of Justice, 1307 Oretha Castle Haley Blvd., Ste. 203, New Orleans, LA 70113, (504) 442-2388, spoke in opposition to House Bill No. 321.

Stephanie L. Willis, ACLU of Louisiana, P.O. Box 56157, New Orleans, LA 70157, (504) 522-0628, spoke in opposition to House Bill No. 321.

Ashley Hamilton, Louisiana Center for Children's Rights, 1101-B Milton St., New Orleans, LA 70122, (504) 451-0500, spoke in opposition to House Bill No. 321.

Darlene Jones, Voice of the Experienced, 2008 St. Phillip St., New Orleans, LA 70116, (504) 606-4604, spoke in opposition to House Bill No. 321.

Sarah Whittington, Justice and Accountability Center, 4035 Washington Ave., New Orleans, LA 70125, (504) 322-4050, spoke in opposition to House Bill No. 321.

*Representative Marino in the chair.*

Debbie Hudnall, Louisiana Clerks of Court, 10202 Jefferson Hwy., Baton Rouge, LA 70809, (225) 293-1162, spoke for information only on House Bill No. 321.

Representative Garofalo offered a motion to report House Bill No. 321 with amendments, to which Representative Marino objected. The administrative assistant called the roll, and House Bill No. 321 was reported with amendments by a vote of 13 yeas and 2 nays. Representatives Bacala, Bryant, Edmonston, Fontenot, Garofalo, Goudeau, Hodges, Horton, Knox, LaFleur, Muscarello, Seabaugh, and Villio voted yea. Representatives Marino and Marcelle voted nay.

Witness cards submitted by individuals who did not speak are as follows: 15 in support and 17 in opposition. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 8 in opposition. Copies of these statements are included in the committee records.

### **House Bill No. 188 by Representative Frieman**

Representative Frieman presented House Bill No. 188, which provides relative to denial of parole for dangerous offenders.

Collin Sims, 22nd Judicial District Court District Attorney's Office, 701 N. Columbia St., Ste. 200, Covington, LA 70433, (985) 400-9016, spoke in support of House Bill No. 188.

Representative Marcelle offered a motion to involuntarily defer action on House Bill No. 188, to which Representative Bacala objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 5 yeas and 8 nays. Representatives Marino, Bryant, Knox, LaFleur, and Marcelle voted yea. Representatives Bacala, Edmonston, Fontenot, Goudeau, Horton, Muscarello, Seabaugh, and Villio voted nay.

Representative Bacala offered an amendment to restructure the sentence imposed to be served without benefit of probation, suspension of sentence, or parole until eighty-five percent of the sentence is served. Representative Bacala offered a motion to adopt the proposed amendment, to which Representative Marino objected. The administrative assistant called the roll, and the amendment was adopted by a vote of 9 yeas and 5 nays. Representatives Bacala, Edmonston, Fontenot, Garofalo, Goudeau, Horton, Muscarello, Seabaugh, and Villio voted yea. Representatives Marino, Bryant, Knox, LaFleur, and Marcelle voted nay.

Bruce Reilly, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, (504) 758-9420, spoke in support of House Bill No. 188.

Checo Yancy, Voice of the Experienced, 251 Florida St. #201, Baton Rouge, LA 70801, (225) 270-5245, spoke in opposition to House Bill No. 188.

Corhonda Corley, 8815 Wilmore Dr., Zachary, LA 70791, (225) 654-0671, spoke in opposition to House Bill No. 188.

Representative Bacala offered a motion to report House Bill No. 188 with amendments, to which Representative Marino objected. The administrative assistant called the roll, and House Bill No. 188 was reported with amendments by a vote of 7 yeas and 5 nays. Representatives Bacala, Edmonston, Fontenot, Garofalo, Horton, Seabaugh, and Villio voted yea. Representatives Marino, Bryant, Knox, LaFleur, and Marcelle voted nay.

Witness cards submitted by individuals who did not speak are as follows: 21 in opposition. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in opposition. Copies of these statements are included in the committee records.

#### **House Bill No. 444 by Representative Freiberg**

Representative Freiberg presented House Bill No. 444, which provides relative to parole eligibility for certain offenders.

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

- (1) Make technical changes;
- (2) Relative to the powers and duties of the committee on parole, remove as a condition for parole eligibility, the exception for an offender who is deemed incapable of obtaining a GED and provide that an offender may be eligible for parole if he completes at least one of the following:
  - (a) A literacy program;
  - (b) An adult basic education program;
  - (c) A job-skills training program; and
  - (d) A GED certification; and
- (3) Relative to the decisions of the committee on parole, provides that before the committee places a person on parole, the committee shall condition parole upon the parolee's enrolling in or completion of one of the following:

- (a) A literacy program;
- (b) An adult basic education program;
- (c) A job-skills training program; and
- (d) A GED certification.

Andrew Hundley, Louisiana Parole Project, P.O. Box 2029, Baton Rouge, LA 70821, (337) 831-2066, spoke in support of House Bill No. 444.

Representative Marino offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Fontenot, Garofalo, Knox, LaFleur, Marcelle, and Villio voted yea. Representative Marino abstained.

Loren Lampert, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke for information only on House Bill No. 444.

Representative Bacala offered an amendment to provide that enrollment in or completion of proposed law conditions for parole shall not apply to parolees who have already obtained a GED or high school diploma. Representative Bacala offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Edmonston, Fontenot, Garofalo, Hodges, Knox, Muscarello, Seabaugh, and Villio voted yea. Representative Marino abstained.

Francis Abbott, Louisiana Board of Pardon and Parole, 504 Mayflower St., Baton Rouge, LA 70802, (225) 342-6624, spoke for information only on House Bill No. 444.

Corhonda Corley, 8815 Wilmore Dr., Zachary, LA 70791, (225) 654-0671, spoke in opposition to House Bill No. 444.

Representative LaFleur offered a motion to report House Bill No. 444 with amendments. Without objection, House Bill No. 444 was reported with amendments by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Fontenot, Garofalo, Knox, LaFleur, Marcelle, Muscarello, Seabaugh, and Villio voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 22 in support and 3 in opposition. Witness cards are included in the committee records.



Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 2 in support. Copies of these statements are included in the committee records.

### **House Bill No. 328 by Representative Selders**

Representative Selders presented House Bill No. 328, which provides relative to sentencing of a person with severe mental illness.

On behalf of the author, Representative Marino offered an amendment to replace all references to "severe mental illness" with "diminished capacity". Representative Marino offered a motion to adopt the proposed amendment. After discussion, Representative Marino withdrew the amendment.

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

- (1) Make technical changes; and
- (2) Delete proposed law language relative to what constitutes severe mental illness.

Representative Marino offered a motion to adopt the proposed amendments. After discussion, Representative Marino withdrew the amendment.

Representative Bryant offered an amendment to provide that the person has been diagnosed with a severe mental illness before the commission of the crime. Representative Marino offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Fontenot, Garofalo, Horton, Knox, LaFleur, Marcelle, Muscarello, and Seabaugh voted yea. Representative Marino abstained.

Remy Voisin Starns, Louisiana Public Defender Board, 301 Main St., Ste. 700, Baton Rouge, LA 70825, (225) 219-9305, spoke for information only on House Bill No. 328.

Talia MacMath, 534 Seguin St., New Orleans, LA 70114, (707) 228-6515, spoke in support of House Bill No. 328.

Gary P. Clements, 1304 Lowerline St., New Orleans, LA 70118, (504) 908-9291, spoke in support of House Bill No. 328.

Corhonda Corley, 8815 Wilmore Dr., Zachary, LA 70791, (225) 654-0671, spoke in support of House Bill No. 328.

Zach Daniels, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke in opposition to House Bill No. 328.

Claire Howington, 16th District Attorney's Office, 300 Iberia St., Ste. 200, New Iberia, LA 70560, (337) 369-4420, spoke in opposition to House Bill No. 328.

Representative Marcelle offered a motion to report House Bill No. 328 with amendments, to which Representative Villio objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 5 yeas and 10 nays. Representatives Marino, Bryant, Knox, LaFleur, and Marcelle voted yea. Representatives Bacala, Edmonston, Fontenot, Garofalo, Goudeau, Hodges, Horton, Muscarello, Seabaugh, and Villio voted nay.

Witness cards submitted by individuals who did not speak are as follows: 23 in support and 5 in opposition. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in support. Copies of these statements are included in the committee records.

#### **House Bill No. 109 by Representative Wilford Carter**

On behalf of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 109, which provides relative to factors in fixing the amount of bail and modifications of bail. Without objection, action on House Bill No. 109 was voluntarily deferred by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Garofalo, Goudeau, Hodges, Horton, Knox, LaFleur, Marcelle, Muscarello, Seabaugh, and Villio voted yea. Representative Marino abstained.

#### **House Bill No. 228 by Representative Green**

On behalf of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 228, which eliminates the death penalty. Without objection, action on House Bill No. 228 was voluntarily deferred by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Garofalo, Goudeau, Hodges, Horton, Knox, LaFleur, Marcelle, Muscarello, Seabaugh, and Villio voted yea. Representative Marino abstained.

#### **House Bill No. 523 by Representative LaCombe**

On behalf of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 523, which provides relative to juvenile detention facilities. Without objection, action on House Bill No. 523 was voluntarily deferred by a vote of 13 yeas, 0 nays, and 1 abstention.

Representatives Bacala, Bryant, Edmonston, Garofalo, Goudeau, Hodges, Horton, Knox, LaFleur, Marcelle, Muscarello, Seabaugh, and Villio voted yea. Representative Marino abstained.

**House Bill No. 70 by Representative Villio**

On behalf of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 70, which provides relative to diminution of sentence and parole eligibility for fourth or subsequent nonviolent felony offenses. Without objection, action on House Bill No. 70 was voluntarily deferred by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Garofalo, Goudeau, Hodges, Horton, Knox, LaFleur, Marcelle, Muscarello, Seabaugh, and Villio voted yea. Representative Marino abstained.

**IV. ANNOUNCEMENTS**

**V. ADJOURNMENT**

The meeting was adjourned at 2:47 p.m.

Respectfully submitted,

Chairman Joseph A. Marino, III  
House Committee on Administration of Criminal Justice