

House Committee on Administration of Criminal Justice

Minutes of Meeting
2023 Regular Session
May 2, 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 9:07 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

Representative Bacala in the chair.

House Bill No. 556 by Representative Davis

Representative Davis presented House Bill No. 556, which provides relative to electronic monitoring.

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

- (1) Make technical changes;
- (2) Provide relative to the present law crime of "tampering with electronic monitoring equipment", create a new penalty provision consisting of a fine of not more than \$1,000 and imprisonment at hard labor not more than one year for any offender who violates present law after being released pursuant to a bail undertaking for a felony crime of violence enumerated or defined in present law (R.S. 14:2(B));
- (3) Clarify that the policies and procedures governing the availability, storage, and use of electronic monitoring equipment shall include alert notifications from the office of technology services to an authorizing judge of law enforcement agency;
- (4) Provide for additional policies and procedures;
- (5) Provide for a reporting requirement for electronic monitoring service providers and the court exercising jurisdiction over the monitored individual;
- (6) Establish a civil fine of not more than \$1,000 for electronic monitoring service providers who intentionally withhold or intentionally fail to timely report information required by proposed law and prohibit any violators from conducting business in Louisiana;
- (7) Require all providers who provide electronic monitoring services in Louisiana to register with the Department of Public Safety and Corrections; and

- (8) Require the Department of Public Safety and Corrections to suspend or revoke the approval of a electronic monitoring service provider at any time the department determines that the provider has intentionally withheld or intentionally failed to timely report information required by proposed 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 Bacala, Edmonston, Fontenot, Goudeau, Horton, Knox, Marcelle, Seabaugh, and Villio voted yea.

Brace Trey Godfrey, Baton Rouge Area Chamber, 564 Laurel St., Baton Rouge, LA 70801, (225) 381-7147, spoke in support of House Bill No. 556.

Hillar Moore, East Baton Rouge Parish district attorney, 222 St. Louis St., Baton Rouge, LA 70802, (225) 389-3412, spoke in support of House Bill No. 556.

Representative John M. Stefanski, state representative, P. O. Box 2720, Crowley, LA 70527, (337) 384-8999, spoke in support of House Bill No. 556.

Representative Villio offered a motion to report House Bill No. 556 with amendments. Without objection, House Bill No. 556 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Edmonston, Fontenot, Goudeau, Horton, Knox, LaFleur, Marcelle, and Villio voted yea. Representative Marino abstained.

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

Representative Marino in the chair.

House Bill No. 106 by Representative Dustin Miller

Representative Dustin Miller presented House Bill No. 106, which adds Xylazine to Schedule II of the Uniform Controlled Dangerous Substances Law.

On behalf of the author, Representative Marino offered amendments in the form of a substitute bill. Representative Marino offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Fontenot, Goudeau, Horton, Knox, Seabaugh, and Villio voted yea. Representative Marino abstained.

Representative William "Bill" Wheat, Jr., state representative, P. O. Box 2473, Ponchatoula, LA 70454, (985) 386-7844, spoke in support of House Bill No. 106.

Helena Moreno, New Orleans City Council, 1300 Perdido St., New Orleans, LA 70112, (504) 658-1060, spoke in support of House Bill No. 106.

Representative Bacala in the chair.

Dr. Gerald Cvitanovich, Jefferson Parish Coroner, no address provided, (504) 914-6074, spoke in support of House Bill No. 106.

Bruce Reilly, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, (504) 758-9420, spoke in opposition to House Bill No. 106.

Representative Edmonston offered a motion to report House Bill No. 106 by substitute. Without objection, House Bill No. 106 was reported by substitute by a vote of 10 yeas and 0 nays. Representatives Bacala, Bryant, Edmonston, Fontenot, Goudeau, Horton, Knox, LaFleur, Seabaugh, and Villio voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 28 in opposition. Witness cards are included in the committee records.

House Bill No. 523 by Representative LaCombe

Representative LaCombe presented House Bill No. 523, which provides relative to juvenile detention facilities.

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

- (1) Provide relative to the present law rules for separate standards for facilities utilized for pre-adjudication juvenile detention, delete the proposed law provision relative to post-adjudication detention; and
- (2) Provide that pre-adjudication standards for juvenile detention facilities shall allow the local existing facilities to be utilized with minimal additional costs when it is determined that the economic impact is sufficiently great to make compliance impractical.

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

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

- (1) Make technical changes;

- (2) Change the provision of present law relative to the transfer of juveniles for criminal prosecution from permissive to mandatory for all subsequent procedures if an indictment is returned or a bill of information is filed;
- (3) Change the length of time that a juvenile may be held in an adult jail or lockup from twenty four hours to forty eight hours if certain conditions occur; and
- (4) Change the length of time for the occurrence of the continued custody hearing from twenty-four hours to forty-eight hours.

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

Loren M. Lampert, executive director, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke in support of House Bill No. 523.

Ashley Hamilton, Louisiana Center for Children's Rights, 1101-B Milton St., New Orleans, LA 70122, spoke in opposition to House Bill No. 523.

Checo Yancy, Voice of the Experienced, 251 Florida St., #201, Baton Rouge, LA 70801, (225) 270-5245, spoke in opposition to House Bill No. 523.

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. 523.

Will Harrell, Justice Collaborative LLC, 1221 Kerlerec St., New Orleans, LA 70116, (512) 815-7519, spoke in opposition to House Bill No. 523.

Emily Posey, Voice of the Experienced, 8722 Birch St., New Orleans, LA 70118, (225) 746-8820, spoke in opposition to House Bill No. 523.

Joseph Landix, Voice of the Experienced, 2204 Edgar Dr., Violet, LA 70092, (504) 615-9442, spoke in opposition to House Bill No. 523.

Norris Henderson, Voice of the Experienced, 7832 Ligustrum Dr., New Orleans, LA 70126, (504) 453-4819, spoke in opposition to House Bill No. 523.

Representative Marcelle offered an amendment to require the child's transfer to the appropriate adult facility to occur upon the child reaching eighteen years of age. Representative Marcelle offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote

of 12 yeas and 0 nays. Representatives Bacala, Bryant, Edmonston, Fontenot, Goudeau, Horton, Knox, LaFleur, Marcelle, Muscarello, Seabaugh, and Villio voted yea.

Representative Villio offered a motion to report House Bill No. 523 with amendments, to which Representative Knox objected. The administrative assistant called the roll, and House Bill No. 523 was reported with amendments by a vote of 8 yeas and 4 nays. Representatives Bacala, Edmonston, Fontenot, Goudeau, Hodges, Horton, Seabaugh, and Villio voted yea. Representatives Bryant, Knox, LaFleur, and Marcelle voted nay.

Witness cards submitted by individuals who did not speak are as follows: 5 in support, 31 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 31 by Representative Romero

Representative Romero presented House Bill No. 31, which adds certain crimes against juveniles that require sex offender registration.

On behalf of the author, 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 12 yeas and 0 nays. Representatives Bacala, Edmonston, Fontenot, Goudeau, Hodges, Horton, Knox, LaFleur, Marcelle, Muscarello, Seabaugh, and Villio voted yea.

Sarah Whittington, Justice Accountability Center, 4035 Washington Ave., New Orleans, LA 70125, (504) 322-4050, spoke in opposition to House Bill No. 31.

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. 31.

Bruce Reilly, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, (504) 758-9420, spoke in opposition to House Bill No. 31.

Representative Marino in the chair.

At the request of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 31. Without objection, action on House Bill No. 31 was voluntarily deferred by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Goudeau, Hodges, Horton, Knox, LaFleur, and Marcelle voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 38 in opposition. Witness cards are included in the committee records.

Further action was taken by the committee on House Bill No. 31 at a meeting held on May 17, 2023. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 31.

House Bill No. 575 by Representative Adams

At the request of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 575, which provides relative to offense penalties for driving a vehicle while intoxicated. Without objection, action on House Bill No. 575 was voluntarily deferred by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Garofalo, Goudeau, Hodges, Horton, Knox, LaFleur, Marcelle, Muscarello, and Villio voted yea. Representative Marino abstained.

House Bill No. 109 by Representative Wilford Carter

Representative Wilford Carter presented House Bill No. 109, which provides relative to factors in fixing the amount of bail and modifications of bail.

On behalf of the author, Representative Marino offered an amendment which provides relative to motions filed to reduce the amount of bail and provide that the motions are written. 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, Edmonston, Garofalo, Goudeau, Hodges, Horton, Knox, LaFleur, Marcelle, Muscarello, and Villio voted yea. Representative Marino abstained.

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

- (1) Change the time period for which a motion to reduce the amount of bail is required to be filed from thirty days to forty-five days;
- (2) Require the motion to be served upon the opposing counsel or party, if unrepresented; and
- (3) Provide that the court is not required to set a motion to modify unless the motion alleges facts that would warrant a modification of the existing bail amount or conditions.

Representative Villio offered a motion to adopt the proposed amendments, to which Representative Marcelle objected. The administrative assistant called the roll, and the amendments were adopted by a vote of 11 yeas and 2 nays. Representatives Bacala, Bryant, Edmonston, Fontenot, Garofalo, Goudeau, Hodges, Horton, Knox, LaFleur, and Villio voted yea. Representatives Marino and Marcelle voted nay.

Amelia Herrera, 1409 Cedar Lake Dr., Baton Rouge, LA 70808, (225) 441-0789, spoke in support of House Bill No. 109.

Meghan Garvey, Louisiana Association of Criminal Defense Lawyers, 504 Lakeland Dr., Baton Rouge, LA 70802, (504) 343-7175, spoke in support of House Bill No. 109.

Representative Marcelle offered a motion to report House Bill No. 109 with amendments. Without objection, House Bill No. 109 was reported with amendments by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Fontenot, Garofalo, Goudeau, Horton, Knox, LaFleur, Marcelle, and Villio voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 42 in support, 1 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Resolution No. 7 by Representative Marcelle

Representative Marcelle presented House Resolution No. 7, which directs the Department of Public Safety and Corrections to permit incarcerated parents to virtually attend certain ceremonies involving their children.

Troy Hankton, Daughters Beyond Incarceration, 8000 Crowder Blvd., New Orleans, LA 70127, (504) 957-5011, spoke in support of House Resolution No. 7.

Natalie Laborde, Department of Corrections, 504 Mayflower St., Baton Rouge, LA 70802, (337) 654-6718, spoke for information only on House Resolution No. 7.

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

Witness cards submitted by individuals who did not speak are as follows: 53 in support. Witness cards are included in the committee records.

House Bill No. 484 by Representative Edmonds

Representative Edmonds presented House Bill No. 484, which provides relative to suspension of a driver's license and eligibility for a hardship license for certain offenses of operating a vehicle while intoxicated.

Lisa Freeman, director, Louisiana Highway Safety Commission, P.O. Box 66336, Baton Rouge, LA 70896, (225) 925-6991, spoke for information only on House Bill No. 484.

Mary-Patricia Wray, Mothers Against Drunk Driving, 9360 Tulip St., Baton Rouge, LA 70806, (225) 395-9961, spoke in support of House Bill No. 484.

Sunny Wall House, Louisiana executive director, Mothers Against Drunk Driving, 18114 Terraceside Dr., Prairieville, LA 70769, (225) 772-1123, spoke in support of House Bill No. 484.

Paula Zachary, Mothers Against Drunk Driving, 29955 West St., Apt. B7, Albany, LA 70711, (985) 363-0047, spoke in support of House Bill No. 484.

Joan Robinson, 5621 Robinson Dr., Denham Springs, LA 70706, (225) 288-6009, spoke in support of House Bill No. 484.

Norris Henderson, Voice of the Experienced, 7832 Ligustrum Dr., New Orleans, LA 70126, (504) 453-4819, spoke in support to House Bill No. 484.

Representative LaFleur offered a motion to report House Bill No. 484 favorably. Without objection, House Bill No. 484 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Fontenot, Garofalo, Goudeau, Horton, Knox, LaFleur, Muscarello, and Villio voted yea. Representative Marino abstained.

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

House Bill No. 477 by Representative Bacala

Representative Bacala presented House Bill No. 477, which provides relative to information provided when prosecuting offenses.

Representative Bacala offered amendments to:

- (1) Change proposed law references of district attorneys or city prosecutors to prosecuting agencies;
- (2) Require the date of arrest or summons, if a summons was issued in lieu of an arrest, to be included in the indictment, information, or affidavit.;
- (3) Provide that defendant demographic data includes sex, race, and date of birth, if known; and
- (4) Provide that the proposed law information may be provided in a separate document submitted.

Representative Bacala offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Bacala, Fontenot, Garofalo, Goudeau, Horton, Knox, Muscarello, and Seabaugh voted yea. Representative Marino abstained.

Representative Marino offered a motion to report House Bill No. 477 with amendments. Without objection, House Bill No. 477 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Fontenot, Garofalo, Goudeau, Horton, Knox, LaFleur, Muscarello, and Seabaugh voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 12 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 55 by Representative Selders

Representative Selders presented House Bill No. 55, which provides relative to mental health treatment of incarcerated people.

On behalf of the author, Representative Marino offered amendments:

- (1) Make technical changes;
- (2) Remove all definitions from proposed law except for "post-traumatic stress disorder";
- (3) Redefine the proposed law definition of "post-traumatic stress disorder"; and
- (4) Provide that the present law resources and programs established by the Department of Public Safety and Corrections for the treatment of inmates with a mental illness or an intellectual disability shall also be made available to incarcerated people meeting diagnostic criteria for post-traumatic stress disorder.

Representative Marino offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Fontenot, Garofalo, Goudeau, Horton, Knox, LaFleur, Muscarello, and Seabaugh voted yea. Representative Marino abstained.

Natalie Laborde, Department of Corrections, 504 Mayflower St., Baton Rouge, LA 70802, (337) 654-6718, spoke for information only on House Bill No. 55.

Dr. Ashleigh Fleming, Department of Public Safety and Corrections, 6925 Hwy. 74, St. Gabriel, LA 70776, (225) 319-4501, spoke for information only on House Bill No. 55.

Ronald Marshall, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, (504) 547-5704, spoke in support of House Bill No. 55.

Representative Knox offered a motion to report House Bill No. 55 with amendments. Without objection, House Bill No. 55 was reported with amendments by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Fontenot, Garofalo, Knox, LaFleur, and Muscarello voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 101 in support. Witness cards are included in the committee records.

House Bill No. 545 by Representative Jordan

Representative Jordan presented House Bill No. 545, which provides relative to payphones and communications for incarcerated individuals.

Representative LaFleur offered a motion to report House Bill No. 545 without action with recommendation that it be recommitted to the House Committee on Commerce, to which Representative Bacala objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 3 yeas, 8 nays, and 1 abstention. Representatives Bryant, Knox, and LaFleur voted yea. Representatives Bacala, Fontenot, Garofalo, Goudeau, Hodges, Horton, Seabaugh, and Villio voted nay. Representative Marino abstained.

Christopher Johnson, Voice of the Experienced, 6115 Berkeley St., New Orleans, LA 70131, (707) 898-5783, spoke in support of House Bill No. 545.

Representative Garofalo in the chair.

Checo Yancy, Voice of the Experienced, 251 Florida St., # 201, Baton Rouge, LA 70801, (225) 270-5245, spoke in support of House Bill No. 545.

Bruce Reilly, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, (504) 758-9420, spoke in support of House Bill No. 545.

Carla Landix, 2209 Edgar Dr., Violet, LA 70092, (919) 697-6060, spoke in support of House Bill No. 545.

Michael Ranatza, executive director, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (225) 343-8402, spoke in opposition to House Bill No. 545.

Representative Marino in the chair.

Natalie Laborde, Department of Corrections, 504 Mayflower St., Baton Rouge, LA 70802, (337) 654-6718, spoke for information only on House Bill No. 545.

Representative Knox offered a motion to voluntarily defer action on House Bill No. 545, to which Representative Bacala objected. Representative Bacala offered a substitute motion to involuntarily defer action on House Bill No. 545, to which Representative Bryant objected. The administrative assistant called the roll, and action on House Bill No. 545 was involuntarily deferred by a vote of 8 yeas and 5 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, Hodges, Horton, Seabaugh, and Villio voted yea. Representatives Marino, Bryant, Knox, LaFleur, and Muscarello voted nay.

Witness cards submitted by individuals who did not speak are as follows: 72 in support and 2 in opposition. Witness cards are included in the committee records.

House Bill No. 85 by Representative Mike Johnson

Representative Mike Johnson presented House Bill No. 85, which creates the crime of approaching a law enforcement officer lawfully engaged in law enforcement duties.

Katie Hunter-Lowrey, Louisiana Survivors for Reform, 1024 Elysian Fields Ave., New Orleans, LA 70117, (504) 535-4912, spoke in opposition to House Bill No. 85.

Stephanie L. Willis, ACLU, P.O. Box 58165, New Orleans, LA 70165, (504) 522-0625, spoke in opposition to House Bill No. 85.

Alison McCrary, Louisiana Survivors for Reform, 4477 Baccich St., New Orleans, LA 70122, (504) 484-9710, spoke in opposition to House Bill No. 85.

Checo Yancy, Voice of the Experienced, 251 Florida St., # 201, Baton Rouge, LA 70801, (225) 270-5245, spoke in opposition to House Bill No. 85.

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. 85.

Will Harrell, Justice Collaborative LLC, 1221 Kerlerec St., New Orleans, LA 70116, (512) 815-7519, spoke in opposition to House Bill No. 85.

Representative Bacala offered an amendment to provide that the law enforcement officer can order the person to stop approaching or to retreat. Representative Bacala offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives Bacala, Garofalo, Goudeau, Hodges, Horton, Seabaugh, and Villio voted yea. Representative Marino abstained.

Representative Goudeau offered a motion to report House Bill No. 85 with amendments, to which Representative Marino objected. The administrative assistant called the roll, and House Bill No. 85 was reported with amendments by a vote of 8 yeas and 1 nays. Representatives Bacala, Fontenot, Garofalo, Goudeau, Hodges, Horton, Seabaugh, and Villio voted yea. Representative Marino voted nay.

Witness cards submitted by individuals who did not speak are as follows: 9 in support and 46 in opposition. Witness cards are included in the committee records.

House Bill No. 207 by Representative Schamerhorn

Representative Schamerhorn presented House Bill No. 207, which establishes penalties associated with minors swimming in certain waterways without personal flotation devices.

At the request of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 207. Without objection, action on House Bill No. 207 was voluntarily deferred by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives Bacala, Garofalo, Goudeau, Hodges, Horton, Seabaugh, and Villio voted yea. Representative Marino abstained.

Further action was taken by the committee on House Bill No. 207 at a meeting held on May 16, 2023. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 207.

House Bill No. 237 by Representative Schamerhorn

Representative Schamerhorn presented House Bill No. 237, which provides relative to certain activities regarding contraband.

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

- (1) Remove proposed law language relative to the "taking" of contraband;
- (2) Provide that sacramental wine shall be permitted by the warden or his designee;
- (3) Remove proposed law language relative to the intention for use in the planning or aiding in an escape or attempt to escape from any facility; and
- (4) Add hypodermic syringes, needles, and other objects used, intended for use, or designed for use in injecting controlled dangerous substances into the human body as contraband.

Representative Villio offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Bacala, Edmonston, Fontenot, Garofalo, Goudeau, Horton, Seabaugh, and Villio voted yea. Representative Marino abstained.

Representative Bacala offered a motion to report House Bill No. 237 with amendments. Without objection, House Bill No. 237 was reported with amendments by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives Bacala, Edmonston, Garofalo, Goudeau, Horton, Seabaugh, and Villio voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 27 in opposition. Witness cards are included in the committee records.

House Bill No. 96 by Representative Thomas

Representative Thomas presented House Bill No. 96, which provides relative to penalties and responsive verdicts for negligent homicide.

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

- (1) Make technical changes;
- (2) Remove the proposed law definition of "firearm" from the present law list of definitions;
- (3) Remove proposed law provisions relative to the penalty for the killing of a human being that is proximately or caused directly by the discharge of a firearm; and
- (4) Remove present law provisions relative to responsive verdicts.

Representative Marino offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives Bacala, Edmonston, Garofalo, Goudeau, Horton, Seabaugh, and Villio voted yea. Representative Marino abstained.

Darren Allemand, Jefferson Parish District Attorney's Office, 200 Derbigny St., Gretna, LA 70053, (504) 368-1020, spoke in support of House Bill No. 96.

Representative Edmonston offered a motion to report House Bill No. 96 with amendments. Without objection, House Bill No. 96 was reported with amendments by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Bacala, Edmonston, Fontenot, Garofalo, Goudeau, Horton, Seabaugh, and Villio voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 41 in opposition. Witness cards are included in the committee records.

House Bill No. 70 by Representative Villio

Representative Villio presented House Bill No. 70, which provides relative to diminution of sentence and parole eligibility for fourth or subsequent nonviolent felony offenses.

Natalie Laborde, Department of Corrections, 504 Mayflower St., Baton Rouge, LA 70802, (337) 654-6718, spoke for information only on House Bill No. 70.

Michael Cahoon, Promise of Justice Initiative, 1024 Elysian Fields Ave., New Orleans, LA 70117, (504) 529-5955, spoke in opposition to House Bill No. 70.

Representative Bacala in the chair.

Sarah Whittington, Justice Accountability Center, 4035 Washington Ave., New Orleans, LA 70125, (504) 322-4050, spoke in opposition to House Bill No. 70.

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. 70.

Bruce Reilly, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, (504) 758-9420, spoke in opposition to House Bill No. 70.

Representative Marino in the chair.

Clarice Gallegos, no address provided, (225) 806-1965, spoke in opposition to House Bill No. 70.

Representative Villio offered a motion to report House Bill No. 70 favorably. Without objection, House Bill No. 70 was reported favorably by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Bacala, Edmonston, Garofalo, Goudeau, Horton, Muscarello, Seabaugh, and Villio voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 6 in support and 76 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: 9 in opposition. Copies of these statements are included in the committee records.

House Bill No. 16 by Representative Schlegel

At the request of the author, Representative Villio presented House Bill No. 16, which provides relative to the crime of simple burglary.

Representative Bacala offered an amendment to change the location provision in proposed law from "one square mile" to "one-half mile". Representative Bacala offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Bacala, Edmonston, Fontenot, Garofalo, Goudeau, Hodges, Horton, Muscarello, Seabaugh, and Villio voted yea. Representative Marino abstained.

Representative Marino offered an amendment to change the location provision in proposed law from "one square mile" to "one thousand feet". Representative Marino offered a motion to adopt the proposed amendment, to which Representative Villio objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 0 yeas, 10 nays, and 1 abstention. Representatives Bacala, Edmonston, Fontenot, Garofalo, Goudeau, Hodges, Horton, Muscarello, Seabaugh, and Villio voted nay. Representative Marino abstained.

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. 16.

Bruce Reilly, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, (504) 758-9420, spoke in opposition to House Bill No. 16.

Representative Villio offered a motion to report House Bill No. 16 with amendments. Without objection, House Bill No. 16 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Fontenot, Garofalo, Goudeau, Hodges, Horton, Muscarello, Seabaugh, and Villio voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 46 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: 5 in support. Copies of these statements are included in the committee records.

House Bill No. 91 by Representative Goudeau

At the request of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 91, which provides relative to vehicular homicide. Without objection, action on House Bill No. 91 was voluntarily deferred by a vote of 9 yeas, 0 nays, and 1 abstention.

Representatives Bacala, Fontenot, Garofalo, Goudeau, Hodges, Horton, Muscarello, Seabaugh, and Villio voted yea. Representative Marino abstained.

IV. ANNOUNCEMENTS

There were no announcements.

V. ADJOURNMENT

The meeting was adjourned at 2:21 p.m.

Respectfully submitted,

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