

House Committee on Administration of Criminal Justice

Minutes of Meeting
2023 Regular Session
May 10, 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 9:13 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
Myrtis Jarrell, sergeant at arms
Allie Eaves, clerk

III. DISCUSSION OF LEGISLATION**House Bill No. 331 by Representative Carrier**

Representative Carrier presented House Bill No. 331, which provides relative to automatic weapons.

Dan Zelenka, Louisiana Shooting Association, 11 Carolina Ct., Covington, LA 70433, (504) 421-1323, spoke in support of House Bill No. 331.

Hillar Moore, district attorney, East Baton Rouge Parish, 222 St. Louis St., Baton Rouge, LA 70802, (225) 389-3412, spoke in support of House Bill No. 331.

Representative Marcelle offered a motion to report House Bill No. 331 favorably. Without objection, House Bill No. 331 was reported favorably by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Fontenot, Garofalo, Goudeau, Knox, LaFleur, Marcelle, Seabaugh, and Villio voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 13 in support and 4 in opposition. Witness cards are included in the committee records.

House Bill No. 461 by Representative DuBuisson

At the request of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 461, which provides relative to exceptions to abortion. Without objection, action on House Bill No. 461 was voluntarily deferred by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Fontenot, Garofalo, Goudeau, Knox, LaFleur, Marcelle, Seabaugh, and Villio voted yea. Representative Marino abstained.

House Bill No. 91 by Representative Goudeau

Representative Goudeau presented House Bill No. 91, which provides relative to vehicular homicide.

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

- (1) Make technical changes; and

- (2) Delete proposed law language relative to the time period that an offender has to pay restitution after his release.

Representative Marino 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, Garofalo, Goudeau, Knox, LaFleur, Marcelle, Seabaugh, and Villio voted yea. Representative Marino abstained.

Sunny House, executive director, Mothers Against Drunk Driving Louisiana, 2644 S. Sherwood Forest Blvd., Ste. 224, Baton Rouge, LA 70816, (225) 772-1123, spoke in support of House Bill No. 91.

Shelby Strong, 138 Lee Ave., Vidalia, LA 71373, (318) 421-1169, spoke in support of House Bill No. 91.

Paula Zachary, Mothers Against Drunk Driving, 29955 West St., Apt. B7, Albany, LA 70711, (985) 363-0047, spoke in support of House Bill No. 91.

Sarah Whittington, Justice Accountability Center, 4035 Washington Ave., New Orleans, LA 70125, (504) 322-4050, spoke in opposition to House Bill No. 91.

Representative Garofalo offered a motion to report House Bill No. 91 with amendments. Without objection, House Bill No. 91 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Garofalo, Goudeau, Hodges, 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. 346 by Representative Boyd

Representative Boyd presented House Bill No. 346, which provides for exceptions to the abortion laws of this state relative to rape and incest.

Morgan Lamandre, Sexual Trauma Awareness and Response, 5615 Corporate Blvd., Ste. 200, Baton Rouge, LA 70808, (225) 615-7093, spoke in support of House Bill No. 346.

Kimiyo Harris Williams, M.D., 305 Destiny Pl., Houma, LA 70360, (504) 473-7051, spoke in support of House Bill No. 346.

Katie Hunter-Lowrey, Louisiana Survivors for Reform, 1047 Elysian Fields Ave., New Orleans, LA 70117, (504) 535-4912, spoke in support of House Bill No. 346.

Frankie Robertson, The Collaborative, 14335 Thorn Brian Dr., Baton Rouge, LA 70817, spoke in support of House Bill No. 346.

Nicole Freehill, M.D., 1382 Soldiers St., New Orleans, LA 70122, (504) 723-4460, spoke in support of House Bill No. 346.

Petrice Sams-Abiodun, 1778 Gentilly Blvd., New Orleans, LA 70119, (860) 575-3311, spoke in support of House Bill No. 346.

Audrey Wascome, 9503 Cabernet Dr., Baton Rouge, LA 70817, (225) 803-1275, spoke in support of House Bill No. 346.

Neelima Suknavasi, M.D., 13612 Brook Point Dr., Baton Rouge, LA 70810, (409) 749-0143, spoke in support of House Bill No. 346.

Andrea Dube, 8921 Birch St., New Orleans, LA 70118, (504) 952-5198, spoke in support of House Bill No. 346.

Deborah Melvin, 322 Cedar Tree Dr., Thibodaux, LA 70301, spoke in opposition to House Bill No. 346.

Sancha Smith, 904 Tensas Dr., Opelousas, LA 70570, (337) 308-8696, spoke in opposition to House Bill No. 346.

Dr. Damon Cudihy, P.O. Box 52415, Lafayette, LA 70505, (337) 261-5433, spoke in opposition to House Bill No. 346.

Clelie Carpenter, 815 River Rd., Sunshine, LA 70780, (225) 954-4875, spoke in opposition to House Bill No. 346.

Heather Hobbs, Save the 1, 2005 5th St., Hempstead, TX 77445, (972) 467-6249, spoke in opposition to House Bill No. 346.

Dustin Bertrand, 108 W. St. Paul, Abbeville, LA 70510, (337) 652-2016, spoke in opposition to House Bill No. 346.

John Raymond, St. Tammany Republican Parish Executive Committee, 62187 Graci Ave., Lacombe, LA 70445, (985) 768-9640, spoke in opposition to House Bill No. 346.

Sarah Zagorski Jones, Louisiana Right to Life, 200 Allen Toussaint Blvd., New Orleans, LA 70124, (970) 817-1353, spoke in opposition to House Bill No. 346.

Richard Mahoney, 1831 Old Plantation Way, Baton Rouge, LA 70806, (225) 938-1179, spoke in opposition to House Bill No. 346.

Woody Jenkins, 910 N. Foster Dr., Baton Rouge, LA 70806, (225) 921-1433, spoke in opposition to House Bill No. 346.

Chris Alexander, Louisiana Citizen Advocacy Group, 1380 Steele Blvd., Baton Rouge, LA 70806, (225) 333-6434, spoke in opposition to House Bill No. 346.

Dr. Will Hall, Louisiana Baptist Office of Public Policy, 1250 MacArthur Dr., Alexandria, LA 71303, (318) 499-4348, spoke in opposition to House Bill No. 346.

Representative Marcelle offered a motion to report House Bill No. 346 favorably, to which Representative Bacala 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: 128 in support and 112 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 support, 36 in opposition, and 1 for information only. Copies of these statements are included in the committee records.

House Bill No. 522 by Representative Freeman

Representative Freeman presented House Bill No. 522, which provides relative to abortion.

Nicole Freehill, 1382 Soldiers St., New Orleans, LA 70122, spoke in support of House Bill No. 522.

Neeli Sukhvasi, M.D., 13612 Brook Point Dr., Baton Rouge, LA 70810, (409) 749-0143, spoke in support of House Bill No. 522.

Councilwoman Helena Moreno, New Orleans City Council, 1300 Perdido St., New Orleans, LA 70112, spoke in support of House Bill No. 522.

Representative Marcelle offered a motion to report House Bill No. 522 favorably.

Nancy Davis, 3849 Webb Dr., Baton Rouge, LA 70805, (225) 329-3204, spoke in support of House Bill No. 522.

Kaitlyn Joshua, 12296 Oak Colony Dr., Geismar, LA 70734, (225) 454-3321, spoke in support of House Bill No. 522.

Leslie Palmerlee, 3611 Constance St., New Orleans, LA 70115, (510) 717-3827, spoke in support of House Bill No. 522.

Angelique Freel, Louisiana Department of Justice, 1885 N. 3rd St., Baton Rouge, LA 70802, (225) 326-6000, spoke for information only on House Bill No. 522.

Representative Marcelle withdrew her motion to report House Bill No. 522 favorably.

Dr. Evelyn Griffin, 8888 Summa Blvd., Baton Rouge, LA 70809, (225) 293-7645, spoke in opposition to House Bill No. 522.

Deborah Melvin, 322 Cedar Tree Dr., Thibodaux, LA 70301, (985) 856-1221, spoke in opposition to House Bill No. 522.

Kim Hardy, M.D., 401 Edgehill Cir., Lafayette, LA 70508, (337) 322-5174, spoke in opposition to House Bill No. 522.

On behalf of the author, Representative Marino offered a motion to voluntarily defer action on House Bill No. 522. Without objection, action on House Bill No. 522 was voluntarily deferred by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Horton, Knox, LaFleur, Muscarello, and Villio voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 105 in support and 113 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 support and 35 in opposition. Copies of these statements are included in the committee records.

House Bill No. 549 by Representative Glover

Representative Glover presented House Bill No. 549, which provides relative to termination of pregnancy that is the result of certain sex offenses.

Morgan Lamandre, Sexual Trauma Awareness and Response, 5615 Corporate Blvd., Ste. 200, Baton Rouge, LA 70808, (225) 615-7093, spoke in support of House Bill No. 549.

Katie Hunter-Lowrey, Louisiana Survivors for Reform, 1047 Elysian Fields Ave., New Orleans, LA 70117, (504) 535-4912, spoke in support of House Bill No. 549.

Mary Anne Mushatt, 10,000 Women, 6030 S. Robertson St., New Orleans, LA 70118, (504) 861-8293, spoke in support of House Bill No. 549.

Amanda Eberts, Turning Point USA, 216 Avant Garde Cir., Kenner, LA 70065, (504) 252-5557, spoke in opposition to House Bill No. 549.

Richard Mahoney, 1831 Old Plantation Way, Baton Rouge, LA 70806, (225) 938-1139, spoke in opposition to House Bill No. 549.

Deborah Melvin, 322 Cedar Tree Dr., Thibodaux, LA 70301, (985) 856-1221, spoke in opposition to House Bill No. 549.

Woody Jenkins, 910 N. Foster Dr., Baton Rouge, LA 70806, (225) 921-1433, spoke in opposition to House Bill No. 549.

Dr. Damon Cudihy, P.O. Box 52415, Lafayette, LA 70505, (337) 261-5433, spoke in opposition to House Bill No. 549.

Dustin Bertrand, 108 W. St. Paul, Abbeville, LA 70510, (337) 652-2016, spoke in opposition to House Bill No. 549.

Heather Hobbs, Save the 1, 2005 5th St., Hempstead, TX 77445, (972) 467-6249, spoke in opposition to House Bill No. 549.

Representative Marino offered a motion to report House Bill No. 549 favorably, to which Representative Seabaugh objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 5 yeas and 9 nays. Representatives Marino, Bryant, Knox, LaFleur, and Marcelle voted yea. Representatives Bacala, Edmonston, Fontenot, Garofalo, Hodges, Horton, Muscarello, Seabaugh, and Villio voted nay.

Witness cards submitted by individuals who did not speak are as follows: 85 in support and 104 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 support and 36 in opposition. Copies of these statements are included in the committee records.

House Bill No. 598 by Representative Newell

Representative Marino offered a motion to report House Bill No. 598, which amends definitions relative to the crime of abortion, without action with recommendation that it be recommitted to the House Committee on Health and Welfare. Without objection, House Bill No. 598 was reported

without action by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Fontenot, Garofalo, Goudeau, Hodges, Horton, Knox, LaFleur, Marcelle, Muscarello, Seabaugh, and Villio voted yea. Representative Marino abstained.

Representative LaFleur in the chair.

House Bill No. 4 by Representative Bacala

Representative Bacala presented House Bill No. 4, which provides relative to the crime of criminal trespass on running waters of the state.

Representative Bacala offered amendments to:

- (1) Expand proposed law that the running waters are relatively permanent, standing, or continuously flowing waters connected to traditional navigable waters, the territorial seas, and public navigable waterways, or waters with a continuous surface connection to such relatively permanent waters or to traditional navigable waters, the territorial seas, and public navigable waterways; and
- (2) Provide that property which has running waters of the state that flow over it may have notice posted that such property may not be accessed during waterfowl season.

Representative Bacala offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Bacala, Edmonston, Fontenot, Garofalo, Hodges, LaFleur, Muscarello, and Villio voted yea.

Dalton Wayne Hoover, Backcountry Hunters and Anglers, 1197 N. Leighton Dr., Baton Rouge, LA 70809, (225) 439-1882, spoke in support of House Bill No. 4.

Richard Fischer, Louisiana Charter Boat Association, 4409 Meadowdale St., Metairie, LA 70006, (504) 436-1737, spoke in support of House Bill No. 4.

Representative Marino in the chair.

John R. Daniel, 3412 E. Nic Dr., Addis, LA 70710, (225) 776-2030, spoke in support of House Bill No. 4.

Lucas Ragusa, Louisiana Sportsman's Coalition, 41465 Pertuis Acres, Gonzales, LA 70737, (504) 400-5420, spoke in support of House Bill No. 4.

Philip Alan Goppelt, 42291 Clouatre Rd., Gonzales, LA 70737, (225) 290-7621, spoke in support of House Bill No. 4.

Senator Eddie J. Lambert, Louisiana state senator, P.O. Box 241, Gonzales, LA 70707, (225) 673-5048, spoke in support of House Bill No. 4.

Charles Marshall, Louisiana Landowners Association, 833 N. Beach Blvd., Waveland, MS 39576, (504) 583-3655, spoke in opposition to House Bill No. 4.

Mike Benge, Delacroix Corporation and Louisiana Landowners Association, 37 Chateau Latour Dr., Kenner, LA 70065, (504) 523-2245, spoke in opposition to House Bill No. 4.

Melinda B. Brown, Delacroix Corporation, 206 Decatur St., New Orleans, LA 70130, (504) 595-6191, spoke in opposition to House Bill No. 4.

Tim Allen, Apache Corporation, P.O. Box 206, Houma, LA 70361, (985) 879-3528, spoke in opposition to House Bill No. 4.

Cody L. Breaux, Dularge Hunting Club, P.O. Box 3433, Houma, LA 70361, (985) 637-8366, spoke in opposition to House Bill No. 4.

Michael Farizo, Delacroix Corporation, 206 Decatur St., New Orleans, LA 70130, (504) 583-8192, spoke in opposition to House Bill No. 4.

Stacy Geraci, N & N Construction, 435 Bayou Rd., Saint Bernard, LA 70085, (504) 583-7630, spoke in opposition to House Bill No. 4.

Barry Wall, Walls Gator Farm, P.O. Box 1, Springfield, LA 70462, (985) 720-4859, spoke in opposition to House Bill No. 4.

Don Caffery, Natural Resources Management Association, 543 Spanish Town Rd., Baton Rouge, LA 70802, (337) 280-6687, spoke in opposition to House Bill No. 4.

Representative Bacala offered a motion to report House Bill No. 4 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 6 nays. Representatives Bacala, Edmonston, Fontenot, Hodges, and Muscarello voted yea. Representatives Marino, Bryant, Garofalo, Knox, LaFleur, and Villio voted nay.

Witness cards submitted by individuals who did not speak are as follows: 18 in support and 36 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.

IV. ANNOUNCEMENTS

There were no announcements.

V. ADJOURNMENT

The meeting was adjourned at 2:54 p.m.

Respectfully submitted,

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