

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

Minutes of Meeting  
2023 Regular Session  
May 17, 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 Raymond E. Garofalo, Jr.  
Representative Jonathan Goudeau, I  
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:**

Representative Bryan Fontenot  
Representative Valarie Hodges

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

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

**ADDITIONAL ATTENDEES PRESENT:**

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

**III. DISCUSSION OF LEGISLATION****House Bill No. 31 by Representative Romero**

*This is a continuation of the discussion on House Bill No. 31 from a meeting held on May 2, 2023. Please check for the prior action to complete the record of discussion and motions on House Bill No. 31.*

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

On behalf of the author, Representative Marino offered an amendment to remove second degree battery. Representative Marino offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas and 0 nays. Representatives Bacala, Bryant, Edmonston, Horton, Knox, LaFleur, Seabaugh, and Villio voted yea. Representative Marino abstained.

Terry Mann, 308 E. Reed St., Iowa, LA 70647, (337) 936-1142, spoke in support of House Bill No. 31.

Sarah Whittington, Justice Accountability Center, 4035 Washington Ave., New Orleans, LA 70125, (504) 322-4056, 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, Voters Organized to Educate, 4930 Washington Ave., New Orleans, LA 70125, (504) 758-9420, spoke in opposition to House Bill No. 31.

Representative LaFleur offered a motion to report House Bill No. 31 by substitute. Without objection, House Bill No. 31 was reported by substitute by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Garofalo, Goudeau, Knox, LaFleur, Seabaugh, and Villio voted yea. Representative Marino abstained.

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

### **Senate Bill No. 73 by Senator Robert Mills**

Senator Robert Mills presented Senate Bill No. 73, which provides relative to truancy and assessment and service centers.

Thomas Hebert, Truancy Center, 51273 Hwy. 443, Loranger, LA 70446, (504) 444-4818, spoke in support of Senate Bill No. 73.

Representative Villio offered a motion to report Senate Bill No. 73 favorably. Without objection, Senate Bill No. 73 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Garofalo, Goudeau, Knox, LaFleur, 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 1 for information only. Witness cards are included in the committee records.

### **Senate Bill No. 117 by Senator Harris**

At the request of the author, Representative Marino offered a motion to voluntarily defer action on Senate Bill No. 117, which provides relative to the crime of assault by drive-by shooting. Without objection, action on Senate Bill No. 117 was voluntarily deferred by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Garofalo, Goudeau, Knox, LaFleur, Muscarello, Seabaugh, and Villio voted yea. Representative Marino abstained.

### **Senate Bill No. 31 by Senator Mizell**

Senator Mizell presented Senate Bill No. 31, which creates database to track trafficking arrests, convictions, restitution, fines, and civil asset forfeiture.

Loren Lampert, executive director, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke in support of Senate Bill No. 31.

Representative LaFleur offered a motion to report Senate Bill No. 31 favorably. Without objection, Senate Bill No. 31 was reported favorably by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Garofalo, Goudeau, Knox, LaFleur, Muscarello, and Seabaugh voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 3 in support, 1 in opposition, and 1 for information only. Witness cards are included in the committee records.

**House Bill No. 286 by Representative Boyd**

Representative Boyd presented House Bill No. 286, which provides relative to expungements for certain amounts of possession of marijuana.

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

- (1) Remove proposed law relative to misdemeanor first offenses of possession of marijuana over 14 grams;
- (2) Provide that proposed law only applies to misdemeanor first offenses of possession of marijuana of 14 grams or less, pursuant to present law (R.S. 40:966(C)(2)(a));
- (3) Remove proposed law relative to the exemption of processing fees for persons convicted of certain misdemeanor offenses for possession of marijuana;
- (4) Provide for a fee not to exceed \$300 for persons convicted of certain misdemeanor offenses for possession of marijuana;
- (5) Provide relative to the distribution of the \$300 fee to the La. Bureau of Criminal Identification and Information, the sheriffs, the district attorneys, and the clerks of court; and
- (6) Provide that the \$300 fee shall be null, void, and without effect on Aug. 1, 2026.

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

Loren Lampert, executive director, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke for information only on House Bill No. 286.

Michael Ranatza, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (225) 343-8402, spoke for information only on House Bill No. 286.

Representative LaFleur offered a motion to report House Bill No. 286 with amendments. Without objection, House Bill No. 286 was reported with amendments by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives Bacala, Bryant, Edmonston, Garofalo, Goudeau, Knox, and LaFleur voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 18 in support and 1 for information only. Witness cards are included in the committee records.

### **House Bill No. 413 by Representative Ivey**

Representative Ivey presented House Bill No. 413, which provides relative to parole eligibility for certain offenders.

Andrew Hundley, Parole Project, 319 3<sup>rd</sup> St., Baton Rouge, LA 70801, (337) 831-2066, spoke in support of House Bill No. 413.

Zachary T. Daniels, deputy director, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke in opposition to House Bill No. 413.

Representative Marino offered a motion to report House Bill No. 413 favorably, to which Representative Villio objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 5 yeas and 7 nays. Representatives Marino, Bryant, Knox, LaFleur, and Marcelle voted yea. Representatives Bacala, Edmonston, Garofalo, Horton, Muscarello, Seabaugh, and Villio voted nay.

Witness cards submitted by individuals who did not speak are as follows: 24 in support and 3 in opposition. Witness cards are included in the committee records.

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

Representative Stefanski presented House Bill No. 498, which provides relative to a mandatory minimum bail amount for certain offenses.

On behalf of the author, Representative Marino offered an amendment to reduce the proposed law mandatory minimum bail amounts to the following:

- (1) \$50,000 rather than \$100,000 for a crime of violence; and
- (2) \$100,000 rather than \$500,000 for a crime of violence and the defendant used (rather than possessed) a firearm during 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 7 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Garofalo, Horton, Knox, LaFleur, Marcelle, and Villio voted yea. Representative Marino abstained.

Michael Cahoon, The Promise of Justice, 1024 Elysian Fields Ave., New Orleans, LA 70117, (504) 529-5955, spoke in opposition to House Bill No. 498.

Stephanie L. Willis, ACLU of Louisiana, P.O. Box 56175, New Orleans, LA 70175, spoke in opposition to House Bill No. 498.

Montrell Carmouche, Safety and Freedom Fund, 2321 Thalia St., New Orleans, LA 70113, (504) 313-0113, spoke in opposition to House Bill No. 498.

Glenn Ansardi, Louisiana District Judges Association, 314 Woodvine Ave., Metairie, LA 70005, (504) 812-1337, spoke for information only on House Bill No. 498.

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. 498.

Trisha Ward, Evangeline Public Defenders, 128 Young St., Ville Platte, LA 70586, (225) 405-6884, spoke in opposition to House Bill No. 498.

Will Snowden, Vera Institute, 3014 Dauphine St., New Orleans, LA 70113, (504) 442-2388, spoke in opposition to House Bill No. 498.

Representative Bacala offered amendments to:

- (1) Remove proposed law that the defendant proves by clear and convincing evidence that the mandatory minimum bail amount violates factors in present law; and
- (2) Require the court to set an initial bail in certain amounts, unless there is evidence that the mandatory minimum bail amount violates factors in present law.

Representative Bacala offered a motion to adopt the proposed amendments, to which Representative LaFleur objected. The administrative assistant called the roll, and the amendments were adopted by a vote of 8 yeas, 4 nays, and 1 abstention. Representatives Bacala, Edmonston, Garofalo, Goudeau, Horton, Muscarello, Seabaugh, and Villio voted yea. Representatives Bryant, Knox, LaFleur, and Marcelle voted nay. Representative Marino abstained.

Checo Yancy, Voice of the Experienced, 251 Florida St., # 201, Baton Rouge, LA 70801, (225) 270-5245, spoke in opposition to House Bill No. 498.

Representative Bacala offered a motion to report House Bill No. 498 with amendments, to which Representative LaFleur objected. The administrative assistant called the roll, and House Bill No. 498 was reported with amendments by a vote of 7 yeas and 4 nays. Representatives Bacala, Edmonston, Garofalo, Goudeau, Horton, Muscarello, and Seabaugh voted yea. Representatives Marino, Bryant, Knox, and LaFleur voted nay.

Witness cards submitted by individuals who did not speak are as follows: 15 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: 4 in opposition. Copies of these statements are included in the committee records.

### **Senate Bill No. 49 by Senator Hewitt**

Senator Hewitt presented Senate Bill No. 49, which increases penalties for the crime of creation or operation of a clandestine laboratory for the unlawful manufacture of certain controlled dangerous substances.

Michael Ranatza, executive director, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (225) 343-8402, spoke in support of Senate Bill No. 49.

Tanner Jenkins, East Baton Rouge Sheriff's Office, 8900 Jimmy Wedell Dr., Baton Rouge, LA 70807, (225) 806-4953, spoke in support of Senate Bill No. 49.

*Representative Bacala in the chair.*

Representative Horton offered a motion to report Senate Bill No. 49 favorably. Without objection, Senate Bill No. 49 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Bacala, Edmonston, Garofalo, Goudeau, Horton, Knox, LaFleur, Marcelle, and Villio voted yea.

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.

### **House Bill No. 446 by Representative Miguez**

On behalf of the author, Representative Garofalo presented House Bill No. 446, which provides relative to online handgun education course curriculum.

Representative Garofalo offered a motion to report House Bill No. 446 favorably. Without objection, House Bill No. 446 was reported favorably by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Bacala, Edmonston, Garofalo, Goudeau, Horton, Knox, LaFleur, and Villio voted yea. Representative Marino abstained.

Witness cards submitted by individuals who did not speak are as follows: 6 in support, 1 in opposition, and 1 for information only. Witness cards are included in the committee records.

*Representative Marino in the chair.*

**Senate Bill No. 14 by Senator Bernard**

On behalf of the author, Representative Bacala presented Senate Bill No. 14, which provides relative to schedules of the Uniform Controlled Dangerous Substances Law.

Representative Bacala offered amendments to:

- (1) Delete twelve proposed Schedule I substances; and
- (2) Make technical changes.

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, Bryant, Edmonston, Garofalo, Goudeau, Knox, LaFleur, and Villio voted yea. Representative Marino abstained.

Representative Edmonston offered a motion to report Senate Bill No. 14 with amendments. Without objection, Senate Bill No. 14 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Bacala, Edmonston, 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: 1 in support and 2 for information only. Witness cards are included in the committee records.

**IV. ANNOUNCEMENTS**

There were no announcements.

**V. ADJOURNMENT**

The meeting was adjourned at 12:42 p.m.

Respectfully submitted,

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