

Minutes of the Louisiana Sentencing Commission
DOC Headquarters, Building 1
504 Mayflower Street, Baton Rouge, LA 70802
1:00 p.m. March 21, 2013

The meeting was called to order Chairman Honorable Ricky Babin

Members Present

Honorable Ricky Babin, Chairman
Honorable Charles Ballay
Honorable Louis Daniel
Mr. David Dugas
Mr. John Di Giulio (Proxy for Ms. Julie H. Kilborn)
Honorable Ricky Wicker (Proxy for Honorable Greg Guidry)
Ms. Debbie Hudnall (Proxy for Mr. Mark Graffeo)
Carle Jackson (Proxy for Mr. Robert Barkerding)
Mr. Cheney C. Joseph, Jr.
Honorable Ricky Wicker (Proxy for Ms. Mary Manheim)
Secretary James M. Leblanc
Honorable Ricky Wicker (Proxy for Representative Joseph P. Lopinto, III)
Honorable Jules Edwards (Proxy for Honorable Jay B. McCallum)
Mr. Ruston Legendre (Proxy for Mr. Robert Mehrtens)
Honorable Michael McDonald
Mr. Dale Simoneaux (Proxy for Honorable Mike Cazes)
Honorable Laurie A. White
Honorable Laurie A. White (Proxy for Representative Helena Moreno)

Committee, Advisory and Staff Members

Darryl Campbell, DOC
Rhett Covington, DOC
Traci DiBenedetto, DOC
Melanie Gueho, DOC
Carle Jackson, LCLE
Billy Kline, DOC
Natalie LaBorde, Governor's Office
Sandra Laborie, 5th Circuit Court
G.F. Martin, Orleans Parish DA's Office
Opal West, LCLE
Angela Whittaker, DOC

Guests

Ethan Ashley, Black Alliance for Educational Options
Linda Lala Duscoe, LA CURE
Shelia Feigley, Private Citizen
Steven Forber, Office of Juvenile Justice
Lisa Freeman, B.R. City Prosecutor

Sara Tirrell, 19th Judicial District Office

I. Roll Call

- a. Roll Call was taken by Opal West, LCLE

II. The minutes of the previous meeting were approved

Motion by Honorable Jules Edwards

Second by Mr. Cheney C. Joseph, Jr.

III. Items on Final Approval

- A. Early Release and Treatment for Drug Offenders – Proposed legislation provides 1st and 2nd time drug offenders incarcerated for possession or possession with intent (small amounts), if they have done two years in actual custody and are within one year of release or parole will be considered for parole. Conditions include: have a residential plan, job placement, and treatment. Will receive 90 days of drug treatment at Bossier Parish and Jackson Treatment Centers. Have 713 eligible currently. 300-400 will be released by July 1st if bill is passed. Dr. Tucker is in charge in Bossier and will oversee treatment at the Jackson Center. Too much time is being spent on the end of sentence rather than up front.
Bill adopted in final form – motioned- Judge White, second – Judge Edwards
- B. Mandatory Treatment for Drug Offenders – Judge Edwards made suggestions for minor language changes in the bill so that not every first time offender has to have a PSI conducted.
Bill adopted in final form – motion – Judge Edwards, second – John DiGiulio
- C. Revision of the statutes relating to OUI – as previously approved.
Motioned – John DiGiulio, Second – Lou Daniels
- D. Guidelines for Pretrial Services Programs – As previously approved. Judge Wicker, second – Mr. Chaney Joseph
- E. Confidentiality of Information related to Pretrial Services – Language was included in the prior motion.
- F. Revision to Simple Escape statute – Approved as revised – Judge Wicker, second – Charles Ballay.
- G. Revision to Bail/Bond Statutes – Approved contingent on working out language on property bond. Motion – Judge Wicker, second – Judge Edwards.
- H. Revision to Conditions of Release – Now included in pretrial release
- I. Revision to Attempt statute relative to Theft – Previously approved.
- J. Pilot Project 22nd JDC Risk/Needs at Sentencing – As previously approved.
Motioned – Judge Edwards, second – Lou Daniels.

IV. Items for Consideration for 2013 Recommendations

- A. Proposal of the Louisiana Department of Veterans Affairs David LaCerte, Secretary of Louisiana Veterans Affairs made the presentation.
 - a. The secretary spoke and would like the courts to ask the defendant if they are a veteran either oral or in written form at arraignment. Commission recommends asking the question before arraignment specifically at arrest or intake. Commission did not take any action on the recommendations.

V. Committee Reports

- A. Front End Committee – Honorable Ricky Wicker
 - a. Fines, Fees, and Court Costs committee will prepare a resolution to have an annual report prepared to help guide what legislature wants imposed.
- B. Release Mechanism Committee – Honorable Laurie White
 - a. The remaining committees are SOAP which is tabled for now to bring in public defenders, and Home Incarceration. HCR 113 – have received bad data. Darryl Campbell is sending the data to the providers and asking them do they want it to go to the Commission. From there, it will be sent to the Legislature and suggest another year of study is needed.
- C. Re-entry and Evidence Based Corrections Committee – Rhett Covington
 - a. Submitted recommendations regarding GED. Substance abuse working group is working on availability of substance abuse treatment. Concerns for types of treatment to be used. Work force development working group trying to make sure people are getting into the right careers. Looking at non-violent offenders for alternatives to incarceration. Housing – will be receiving TA to end chronic homelessness.
- D. Research and Technology – Melanie Gueho
 - a. Did not meet

VII. Update on HCR 113: See above

VIII. Other Business

- A. Justice Reinvestment Act – Sarah Sullivan – Need for performance measures. Working with Melanie to create a tool to track performance measures to report to the commission and any other on successfulness. Other potential issues are use of administrative sanctions, minimum mandatory sentence wavers, and home incarceration.

IX. Adjourn

A motion was made for adjournment of the meeting by Judge White and seconded by Honorable Lou Daniels. The Honorable Ricky Babin, Chairman, adjourned the meeting at 2:42 p.m.