

**MINUTES OF THE
LOUISIANA SENTENCING COMMISSION**

**Hilton Baton Rouge Capital Center
Baton Rouge, Louisiana
May 26, 2010
3:00 p.m.**

Honorable Ricky Babin, Chairman, called the meeting to order.

Members in attendance were: Honorable Ricky Babin, Chairman, Robert Barkerding, Honorable Lynda Van Davis; Jean M. Faria, Honorable Ricky Wicker, proxy for Honorable Greg Guidry, Cheney C. Joseph, Jr., James M. LeBlanc, Mary Manhein, Honorable Jay McCallum, Robert Mehrstens, Joseph L. Montgomery and Honorable Charles A. Riddle.

Louisiana Commission on Law Enforcement staff in attendance was: Joey Watson, Executive Director for the Louisiana Commission on Law Enforcement; Carle Jackson, State Policy Advisor; Sonya Lars, SAC Director; Rob Farmer, Project Advisor and Margaret Watson, Sentencing Commission Secretary.

Additional Guests in attendance were: Sheryl Ranatza and Genie Powers

New Business

Virginia Sentencing Commission Experience - Dr. Rick Kern

Dr. Richard P. Kern is Director of the Virginia Criminal Sentencing Commission. Dr. Kern discussed the Virginia Sentencing Commission's experience. His presentation featured truth in sentencing and the use of risk assessment in the sentencing process. Dr. Kern emphasized the importance of good data reflecting both the front end and back end of the process in formulating sentencing policy.

Legislation Affecting the Commission

Senate Conference Resolution (SCR 17) House Bill 1361

Discussed were two bills voted through the Legislation: HB 1361 and SCR 17. The first bill Chairman Babin spoke of is the Senate Conference Resolution (SCR 17). Senator Donahue put this forward to the Louisiana Sentencing Commission to have a complete review and recommendation of the entire Criminal Code by the end of this Legislative Session. With such a short time-period to get this task completed the Committee contacted Senator Donahue and working together with the Senator, had SCR 17 amended. Carle Jackson drafted an amendment that was accepted by Senator Donahue. The amendment places the date for the initial set of the Commission's recommendations to the Legislature in March 2012. The second bill discussed was House Bill 1361 (HB1361) is a bill that will help clean up some appointment issues:

- Representative of the Supreme Court to be appointed by the Chief Justice
- Adds the President of the Clerks of Court Association or his designee as a member
- Adds the President of the Louisiana Sheriffs' Association or his designee as a member
- Permits each member to name one proxy to represent them when they are unable to attend, who will serve in that role for the duration of the member's appointment.

Funding Prospects (VERA Institute of Justice/PEW Trust)

Secretary James LeBlanc informed the board members that he had been in contact with members from the VERA Institute and that a team has been put together and have applied for the National Governor's Association Forum to look at sentencing. Governor Jindal, the Speaker of the House and the President of the Senate have signed a letter in support of the team traveling to Baltimore, MD and participating in the training program. This is a competitive grant program, and PEW will select the state teams they will sponsor soon.

Chairman Babin opened discussion on the possibility of PEW funding to support some of the activities of the Sentencing Commission. Secretary LeBlanc noted that the first step would be to obtain letters of support from the Governor, Speaker of the House, and President of the Senate. The Sentencing Commission's greatest immediate need is for funding to assist with the development of a sentencing database that can support its work.

Proposed Committee Structure

The Commission approved the draft committee structure submitted for review. The following committees and workgroups were created to further the Commission's work:

- Research and Technology Committee
- Statutory Revision Committee
 - Workgroup 1—Front end of the sentencing process from charge to sentencing
 - Workgroup 2—Release mechanisms
 - Workgroup 3—Financial Sanctions
 - Workgroup 4—Statutes affecting the Sentencing Commission
- Re-Entry and Evidence Based Corrections Committee
- Uniform Written Sentencing Order Committee
- Criminal Code Revision Committee

The Chairman made appointments to the Committees based on individual member preferences and assignments where necessary. Members not in attendance were not assigned to a Committee.

Research and Technology Committee

Commission Members

Robert Mehrrens,
Justice Guidry (Judge Wicker)
President of LSA
President of the Clerks of Court Association
Ricky Babin

Advisory Members

Thomas Bickham, Undersecretary;
Melanie Gueho, Information Services;
Jan Rodrigue, Probation and Parole
Debbie D. Hudnall, Louisiana Clerks of Court Association

Statutory Committee

Workgroup 1: Legal Framework—Front End

Commission Members

Cheney Joseph, Law Institute;
Judge Louis Daniel, District Court;
Judge Lynda Davis, District Court;
Judge Mike McDonald, Court of Appeals;
Jean Faria, State Public Defender;
Ricky Babin, District Attorney
Judge Wicker, representing Supreme Court
President of the Clerks of Court Association

Advisory Members

Ms. Susan Griffin, Legal;
Genie Powers, Probation and Parole;
Tracy Dibendetto, Office of Adult Services;
Henry Goines, Pre-Classification;
*Bernie Boudreaux;
*Hugo Holland, Assistant District Attorney
*James Boren, Defense Bar

Workgroup 2: Legal Framework—Release Mechanisms

Commission Members

Secretary James Le Blanc;
A Sheriff; Judge Jay McCallum,
District Court Judge Conn Regan, District Court;
Charlie Riddle, District Attorney
Jean Faria, State Public Defender
Robert Mehrtens, Louisiana Commission on Law Enforcement

Advisory Members

Genie Powers, Probation & Parole;
Debbie Rutledge, Legal;
Angela Griffin, Office of Adult Services;
Jeff Travis, Chief of Operations;
Henry Goines, DOC
*Hugo Holland, Assistant District Attorney;
*Jim Boren, Defense Bar;

*Mike Neustrom, Sheriff
*Marlin Gusman, Sheriff

Workgroup 3: Financial Sanctions

Commission Members

Ricky Babin, District Attorney;
Judge Jay McCallum, District Court;
President of the Louisiana Sheriffs' Association
President of the Louisiana Clerks of Court Association

Advisory Members

Gerald Starks, Probation and Parole;
Jonathan Vinning, Legal;
*Joy Irwin, Legislative Auditor (requires permission of Auditor)
*Robert Murphy, Bar Association

Workgroup 4: Sentencing Commission Statutes

Commission Members

Secretary James Le Blanc;
Jean Faria, Public Defender;
Judge Ricky Wicker, (Supreme Court)
Ricky Babin, District Attorney

Re-Entry and Evidenced Based Corrections Committee

Commission Members

Secretary James Le Blanc;
R. R. "Rusty" Barkerding, Jr.;
President of the Louisiana Sheriffs' Association;
Charles Riddle, District Attorney;
Joseph Montgomery, Defense Bar;
Judge "Conn" Regan, District Court;
Mary Manhein, LSU
Robert Mehrstens, Louisiana Commission on Law Enforcement

Advisory Members

Sheryl Ranatza, Deputy Secretary;
Jeff Travis, Chief of Operations;
Whalen Gibbs, Assistant Secretary; Rhett Covington, Deputy Assistant Secretary for
Reentry
Phyllis Sheridan, Probation and Parole
Henry Goines, DOC

Criminal Code Revision Committee

Commission Members

Cheney Joseph, Law Institute;
Judge Louis Daniel, District Court;
Judge Lynda Davis, District Court;
Judge Mike McDonald, Court of Appeals;
Jean Faria, State Public Defender;
Ricky Babin, District Attorney;
Judge Ricky Wicker, representing Supreme Court (Justice Guidry)
President, Louisiana Clerks of Court Association

Advisory Members

*Bernie Boudreaux,
*Hugo Holland, Assistant District Attorney
*James Boren, Defense Bar

Uniform Written Sentencing Order Committee

Commission Members

Judge Ricky Wicker, representing Supreme Court (Justice Guidry);
Joseph Montgomery, Defense Bar;
Charles Riddle, District Attorney;
Judge Conn Regan, District Court;
President, Louisiana Association of Clerks of Court

Advisory Members

Billy Kline, Legal, Department of Corrections;
Judge Harry Randow, Chairman DOC liaison committee, Louisiana District Court Judges

Association, 9th Judicial District Court;
Judge Anthony Marabella, member of DOC liaison committee, Louisiana
District Court Judges Association, 19th Judicial District Court;
Judge John Conery, member of DOC liaison committee, Louisiana
District Court Judges Association, 16th Judicial District Court;
*Arthur Morrell, Clerk of Court (Orleans Criminal District)

* Indicate individuals to be contacted. Advisory Member status is predicated on the individual's acceptance of the appointment.

Other Business

No other business to report

Time and Place -Next Meeting Date

The next meeting is tentatively scheduled for the August 25, 2010. A place will be announced at a later time. Mr. Joey Watson offered his office at the Louisiana Commission on Law Enforcement and Secretary James LeBlanc also offered the use of his office.

Adjournment

With no further discussion, Honorable Charles Riddle made the motion to adjourn. Ms. Jean Faria seconded the motion. The motion passed.

Submitted by: Margaret Watson, Sentencing Commission Secretary