

Minutes of the Louisiana Sentencing Commission
Department of Corrections Headquarters, Building 1
504 Mayflower, Baton Rouge, LA 70802
June 20, 2013
1:00 p.m.

The meeting was called to order by Honorable Ricky Wicker at 1:00 p.m.

Members Present

Honorable Charles Ballay (proxy for Chairman Honorable Ricky Babin)
Mr. Dale Simoneaux (proxy for Honorable Louis Ackal)
Honorable Charles Ballay
Mr. Dale Simoneaux (proxy for Honorable Mike Cazes)
Mr. Mike McDonald (Proxy for Honorable Louis Daniel)
Mr. David Dugas
Mr. John DiGuilio (Proxy for Ms. Julie H. Kilborn)
Honorable Ricky Wicker (Proxy for Honorable Greg Guidry)
Mr. Cheney C. Joseph
Mr. Alden Clement (by phone, proxy for Honorable Robert Konstelka)
Ms. Angela Whittaker (proxy for Secretary Jimmy LeBlanc)
Mr. John Solderly (proxy for Honorable Jay B. McCallum)
Honorable Michael McDonald
Mr. Ruston Legendre (Proxy Mr. Robert Mehrtens)
Honorable Laurie White (Proxy for Honorable Helena Moreno)
Honorable Laurie White

Committee and Advisory Members

Guests

- I. Roll Call
 - a. Roll Call was taken by Carle Jackson, LCLE

- II. Approval of Minutes
 - Motion by Honorable Joseph Cheney
 - Approved without opposition

- III. Review of Instruments related to 2013 Recommendations of the Sentencing Commission
 - A. HB 189 Attempted Theft became ACT 420
 - B. HB 349 Simple Escape became ACT 152
 - C. HB 367 Pretrial Services was deferred.
 - D. HB 424 OWI was enrolled and sent to the Governor.
 - E. HB 442 Drug probation program/ Early Release for certain drug offenders was enrolled and sent to the Governor.
 - F. SB 94 Risk/need at Sentencing Pilot (22nd JDC) was enrolled and sent to the Governor.
 - G. SB 179 Bail Reform was deferred.

IV. Organization for 2014

Honorable Ricky Wicker advised committee they need to spend next 30 days to develop the issues for examination and possible recommendations for the 2014 Term. After members identify the issues of interest for the next year's work, they will be sent to the Governor's office and our criminal justice partners for review prior to commencing work. Honorable Ricky Wicker noted that the list of possible topics should be presented in person by the member(s) representing the various stakeholders to the leadership of the various groups. This will help eliminate any misunderstanding of the issues to be addressed. Once the issues have been identified and vetted, work groups will be assigned. Each work group should include a Sheriff, a Judge, and a District Attorney to ensure that the broadest possible representation. Natalie LaBorde mentioned the Governor's Office will delve into planning in next few weeks.

V. Committee Reports & Planning for 2014

A. Front End

Team 1- The Committee recommended an examination of fines, fees, and court costs assessed in all District Courts. This survey and recommendations would be submitted to the Supreme Court of Louisiana for further consideration. Mr. Cheney Joseph made a motion authorizing the report. Motion approved.

Team 2 – The Committee has done a great deal of research regarding drug court statutes. The team plans to continue this work provided sufficient interest in the criminal justice community.

Team 3 – The Committee has worked on mandatory minimum sentences and benefit restrictions. In previous years, team has done a great deal of work on parole restriction. Honorable Ricky Wicker announced if we're going to take this to the next level, we need to know as soon as possible.

Team 4 – Postponed

Team 5 - The Committee has worked to obtain data related to home incarceration. At the present time, the data collection is not sufficient to develop an expansion of home incarceration as a sentencing option. The data collection will continue and the team will develop a policy framework that will both improve data collection and provide a foundation for moving forward.

B. Release Mechanisms – The Committee worked on a total revision of the Sex Offender Assessment

Panel process but it was tabled for the 2013 Term due to the costs involved in making the change. Judge White resigned as Chairman. She has recommended either Sheryl Ranatza or Jerry LeDoux to take over that position.

C. Re-entry/evidence based corrections – Rhett Covington and the team compiled data related to cost benefit analysis from successful programs in other states. The committee is preparing a report to the Governor and the Legislature outlining how to reduce both correctional costs and recidivism. Honorable Ricky Wicker says the real problem is with education in the prison system because GEDs will not be available when the test is only available online at a much higher cost after January 2014. Kim Barnett, DOC education section, is working on a solution. Honorable Ricky Wicker reminded the Commission that this is a crisis and must be resolved immediately. Recommended legislation may be required.

Mr. Rhett Covington noted Louisiana has the largest incarceration rate per capita in the nation. He says the work group is developing a method to track drug abuse on both ends of the system (presentence and Release) by following a model proposed by Lafayette Sheriff's Office. Honorable Ricky Wicker noted when Lafayette Sheriff's Office is developing a white paper that can be used by the rest of the state as a road map. One caveat of the plan involves housing development. The Plan attempts to stabilize restrictions so offenders are not homeless when released. Another caveat is a social support group, whether to use mentors or just volunteers. This plan follows the general design of 12 step models to keep offenders on track. Honorable Ricky Wicker asked about conditional parole. Jerry Ledoux said that was pulled so they can take part in the program.

D. Research and Technology- Melanie Gueho announced Frank DiFulco and staff developed a single charge coding system to unify and replace the many different coding systems currently used. This is the

necessary first step toward proper sharing of information across the criminal justice system. Research and Technology will (show) demo Tuesday June 25th.

Honorable Ricky Wicker asked if this could be used if she wanted specific on offenders to facilitate the study of specific populations. Gueho explained no, this is not an historical database, but a date forward plan to help agency exchange information on offenders. Jennifer Eagan announced Research and Technology will send a memo to all court administrators regarding an electronic, fillable form for Uniform Commitment Orders online by August 15th.

VI. Research for 2014 term – Honorable Ricky Wicker requests that ideas be sent to her in the next 2 weeks and she will make a list. We need to solve the problem of prisoners being released without GEDs immediately.

VII Adjourn

Motion made for adjournment by Honorable Judge Laurie White, seconded by Cheney Joseph. Honorable Ricky Wicker adjourned meeting at 1:56 pm.