

**Minutes of the Louisiana Sentencing Commission  
DPS&C Headquarters, Building 1  
504 Mayflower, Baton Rouge, LA 70802  
10:00 am August 25, 2010**

The meeting was called to order at 10:05 by Chairman Ricky Babin. Commission members present were:

**Members**

Mr. Michael Ranatza (Proxy for Louis Ackal)  
Honorable Ricky Babin, District Attorney for JDC  
Honorable Louis Daniel,  
Ms. Jean Faria, State Public Defender  
Honorable Fredericka Wicker, Judge, 5<sup>th</sup> Circuit (Proxy for Justice Guidry)  
Mr. James LeBlanc, Secretary Department of Public Safety and Corrections  
Ms. Debbie Hudnall, Louisiana Clerks Association (Clerks Representative in process)  
Representative Joseph Lopinto III,  
Dr. Mary Manhein, LSU Forensic Sciences  
Honorable James McDonald,  
Mr. Robert Mehrtens, Louisiana Commission on Law Enforcement  
Mr. Joseph Montgomery  
Honorable Charles Riddle, District Attorney JDC  
Representative Helena Moreno (Proxy for Representative Ernest Wooten)

There was a quorum with 14 of 21 members present or represented by proxy.

**National Government Association Best Practices in Corrections – Judge Fredericka Wicker and Robert Mehrtens**

The two day conference was a gathering of others that are also working to streamline their sentencing process. PEW provided a scholarship to send six persons from Louisiana. Along with meeting many others in Corrections from across the nation. Our delegations also had the opportunity to meet with members of PEW and the VERA Institute. Those attending were Judge Fredericka Wicker, Robert Mehrtens, Senator Guillory, Secretary Jimmy LeBlanc, Representative Helena Moreno and Judge Linda Van Davis. Robert Mehrtens stated that good relationships were formed with the Sentencing Commissions of South Carolina, Alabama, Virginia and others at the Sentencing Conference.

**National Sentencing Conference: National Trends in Sentencing – Carle Jackson**

The conference was attended by Carle Jackson, Judge Fredericka Wicker, Representative Joseph Lopinto, Joey Montenero and Mr. Charles Riddle.

- The other Sentencing Commissions are more evidenced based and data driven than previously. The other attendees of the conference shared that they review available bed space and programming while incarcerated and programming during re-entry.
- The back end of the process is viewed as important in reducing recidivism.
- Results oriented sentencing is the current focus to review how to assist the offender in becoming more socially productive.
- One tool used in the goal is conducting a risk needs assessment with major offenders. DPS&C uses LARNA I and LARNA II. In Virginia this is given at the sentencing phase.
- Specific Problem Solving Courts have also been developed such as Drug Courts, Mental Health Courts and Veterans Courts. The Veterans Courts can tap into other funding streams specifically used for Veterans.
- Analysis was another focus of several of the other attending Commissions.

Ricky Babin requested that the power Points from the conference be made available to all Commission Members. Carle Jackson stated they will be placed on the LCLE Sentencing Commission webpage.

### **Statutory Committees: Release Mechanisms and Re-Entry and Evidenced Based - Judge Fredericka Wicker**

Legislation was tightened up to correctly state the number of persons to be represented on the Sentencing Commission by each category. The Re-Entry and Evidence Based and Release Mechanism Committees held a joint meeting on July 26 to get an overview of the justice system in Louisiana. Release Mechanisms can be broken out in front and back end processes. The front end includes probation, deferred sentence and suspended sentence to a special program. The back end of Release Mechanisms include parole, good time, geriatric parole and purposeful or shock incarceration.

- Deferred Sentence – This statute has become messy and needs some review to make it useful to the process once more.
- Drug Court – The statute also needs to be reviewed and updated.
- Suspended Sentence – Allows the judge to work more closely with DOC to collaboratively apply an intensive incarceration that addresses the issues that impact the offenders response to incarceration.
- Geriatric Release – There are currently 80 hospital beds available at Angola with inmates that are bedridden. They are a financial drain due to their healthcare costs. A Geriatric Release would not leave them unsupervised but would transfer the cost of their care from DOC to a medical facility such as Villa Feliciana that can receive Medicaid or Medicare benefits to cover the costs of the Geriatric Parolees. Secretary LeBlanc met with the Hollins Management Group that is in the process of building nursing homes specifically for medical parolees at no cost to Louisiana. The Hollins Group is currently working with Texas and Mississippi to provide the same services in those states.
- Geriatric Parole – This legislation did not pass in 2010. The Sentencing Commission needs to review and streamline future legislation to include who would be included in

this category in terms of ability to recidivate, health issues, mental state and how they would be supervised.

- The Day Reporting Centers are planned for more areas of the state. DOC currently operates centers in Shreveport and the Orleans area. Lafayette Sheriff's Office has implemented one out of their on budget. These three centers will give the Commission good data to make future plans.

Ricky Babin asked about legislation to house the mentally ill. Secretary LeBlanc responded that there is a backlog of at least 100 criminally insane in the system. It was suggested that there may be a need for Mental Health Committee to deal strictly with this issue. There are three classes of mental health offenders.

- Offenders deemed incompetent prior to the court proceedings cannot stand trial. This issue creates a problem from the front end of the system to the back end of the system.
- Offenders that stand trial and are convicted as not guilty by reason of insanity.
- Offenders at DOC were convicted that understood their actions but are also dealing with mental illness.

It was suggested that a minimum of three persons serve on the Mental Health Committee. Michael Ranatza and Joseph Montgomery volunteered to serve on the committee. Other names suggested were District Attorney Charles Scott, Dr. Tucker and Dr. Sing. Michael Ranatza mentioned the concept of Jail Restoration Treatment that was sponsored by DHH in legislation last year. Mr. Ranatza encouraged the inclusion of DHH in this process.

### **Re-Entry and Evidence Based Corrections Committee – Charles Riddle**

The Re-Entry Committee met on Aug 16, 2010 and agreed upon the Mission Statement.

- The two most important periods are the last 12 months of incarceration and the first 12 months following incarceration.
- The parolees from state facilities are being issued state ID before they are released.
- Seventy percent of those released annually are from local jails and do not receive the same re-entry programs that inmates at the state facilities receive. Such as job skills and education.
- Work Release helps the inmates to establish a work relationship with an employer prior to their release.
- Substance Abuse Treatment is provided for those in state facilities.
- Regional Re-Entry Programs for those released from state facilities and Day Reporting Centers for those released from local jails.
- Getting P&P Officers to bank time on those that are doing well and focus more on the offenders that have more issues.
- Collaborating with other state agencies to reduce duplication of services and providing the best continuum of care for the offenders and society at large.
- Technical Violations need to be addressed in the most efficient least expensive means.

The next meeting of the Re-Entry and Evidenced Based Corrections Committee will be at 9:30 on September 20, 2010 at the DOC Headquarters.

### **Research and Technology Committee – Robert Mehrrens**

This committee met on August 12, 2010 at the DOC Headquarters. Jeff Bashaw gave a presentation that outlined how Alabama identified the needs of their correction system and how they developed their database. Mr. Mehrrens viewed the report as a guideline to keep us on track.

- Sheriff Ricky Edwards of Jefferson Davis Parish presented an overview of LACCIE which is maintained by LSA.
- Captain Leland Falcon gave an overview of the current and future Computerized Criminal History (CCH) that are housed with the Louisiana State Police.
- Prosecutors Management Information System uses the Arrest Tracking Number (ATN) to assist the prosecutors to follow the offender from the arrest phase through prosecution. PMIS and CCH will be able to track using the ATN and the SID interchangeably.
- The Public Defender System is under development and will be another key piece in our justice system network.
- Debbie Hudnall described the Clerk of Court System which is in the development stage.
- Frank Difulco gave a presentation on the Case Management Information System (CMIS) of the Louisiana Supreme Court. He is also working with the Clerks of Courts and the State Police to assist in developing systems that will be able to share data.
- Melanie Geuho described the Department of Correction's CAJUN system. It has legacy data that will assist in giving background information on offenders.
- P&P Case Management System was described by Jan Rodrigue. The original system was Lotus Notes only and they are looking for ways to move from an all narrative format to a more qualitative format that will lend itself to analysis.

Charles Riddle commented that the rap sheets do not always have complete disposition information so he often gets more information from the P&P system to fill in the gaps. Mr. Mehrrens advised that the use of the LDAA's CRIMES, CMIS and CCH will give a clearer picture of the offenders history. Charles Riddle does not rely solely on CRIMES because it has often been incomplete. Judge Wicker mentioned a meeting between Secretary LeBlanc and the district judges to discuss a standard commitment forms to be used throughout the state. Carle Jackson added that Frank Difulco is working to make the commitment order an electronic form. Robert Mehrrens contributed that the same was done with the protective orders to assist the Clerks of Courts. The Uniform Protective Order Registry was developed with funds from the Department of Justice's National Criminal History Improvement Program (NCHIP). Jean Faria commented that the inaccuracies of information causes problems from the front end and the back end of the process. The Bill of Information also needs to be standardized and reported throughout the system.

Ricky Babin gave an example of the importance of all data being accurately captured and reflected throughout the system with the delineation of 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> or 4<sup>th</sup> DUI during a traffic

stop. Knowing how many times an individual has been stopped determines how the officer proceeds. Robert Mehrstens stated that CMIS has the ability to capture charges that have been reduced or refused as well as the ability to say why it was reduced or refused. Carle Jackson commented that the SID biometric tracking of the individual as well as the ATN gives more information to those using the various systems.

All of the presenters agreed to be advisory members to the Research and Technology Committee.

**Meeting with PEW and VERA - Secretary James LeBlanc**

Secretary LeBlanc reported on the meeting with PEW and VERA on August 12, 2010 at the legislature. There was good representation from all areas of law enforcement and policy makers across the state. This was the first step in Louisiana seeking funding and guidance from PEW and VERA in restructuring the sentencing process in Louisiana. The letter has been drafted and awaits the signatures of the Governor and other key leaders that will officially establish a relationship with PEW and VERA.

Secretary LeBlanc thanked everyone that has participated in the work of the committees. He encouraged everyone to think about short and long term goals. He encouraged the the Commission to meet every other month prior to the April 25, 2011 beginning date of the legislature. The following dates were proposed:

October 21, 2010	10:00	Sentencing Commission	DOC Headquarter
September 17, 2010	1:00	Release Mechanisms	DOC Headquarters
September 20, 2010	9:30	Re-Entry & Evidenced	DOC Headquarters
September 15, 2010	10:00	Research and Technology	LACLE 7 <sup>th</sup> Floor Conference Room

Secretary LeBlanc suggested that we get a master list of all committees and their contact information.

The meeting adjourned at 11:30.