

Minutes of the Louisiana Sentencing Commission
DPS&C Headquarters
504 Mayflower Street
Baton Rouge, LA 70802
1:00 p.m. April 19, 2012

- I. The meeting was called to order by the Honorable Ricky Babin. The following persons were in attendance:

Sentencing Commission Members:

Honorable Ricky Babin
Proxy of Honorable Sheriff Louis Ackal - Captain Ryan Turner
Proxy of Honorable Mike Cazes – D. Haas
Proxy of Honorable Louis Daniel- Honorable E. “Jimmy” Gaidry
Proxy of Honorable Lynda Van Davis- Honorable Laurie White
Mr. David Dugas
Proxy of Ms. Jean Faria – John DiGiulio
Proxy of Honorable Greg Guidry - Honorable Fredericka Wicker
Secretary James LeBlanc
Ms. Mary Manhein
Honorable Jay B. McCallum
Honorable Michael McDonald
Proxy of Mr. Robert Mehrtens - Carle Jackson, LCLE
Proxy of Honorable Charles Riddle – Honorable Ricky Babin

Committee Members and Guests

Darryl Campbell, DOC
Rhett Covington, DOC
Tracy DiBenedetto, DOC
Frank DiFulco, LASC
Linda Duscoe, CURE
Sheila Feigley, Private Citizen/Crime Victim
Whalen Gibbs, DOC
Melanie Gueho, DOC
William Kline, DOC
Rhonda Nichols, AIM
Angela Whittaker, DOC

Genie Powers, DOC/P&P
Vanessa Tom, OJJ
Muriel Van Horn, OPCDC
Checo Yancy, LA CURE/ Re-entry
Captain Troy Mims, EBRSO
Martha Morgan, Office of Juvenile Justice
Sheryl Ranatza, Parole Board
Jerrie LeDoux, Parole Board
Debra Sheehan, CURE
Ike Manuel, LASC
Greg Holmes, LASC
Sama Richardson, LASC
Dr. Peta Schart, TU
David Cressy, Tulane
Huey L Perry, SUBR

STAFF:

Sandra Laborie, La. Fifth Circuit Court of Appeal

Honorable Ricky Babin introduced the new chairman of the Parole Board, Ms. Sheryl Ranatza and parole board member Jerrie LeDoux.

II. The minutes of the previous meeting were approved

Motion by Wicker
Second by LeBlanc

V. Other Reports:

Honorable Ricky Babin took this issue out of turn. Sheryl Ranatza thanked this body for conducting training for parole board members. She said that they had done an amazing job setting up the training. She thanked Secretary LeBlanc and his staff for all of their support to the board members.

Jerrie LeDoux spoke about her role on the Parole Board and how many hours a year the board works. She said that the increase in education is significant. She showed a sample of the packet of work that she receives to review before each Parole Board meeting. Ms. LeDoux spoke about a problem with the proposed

merger of the Parole and Pardon Boards. The parole board works about 24 weeks a year while the pardon board only works about 14 to 21 days a year. Merging the boards would cause a decrease in pay to the parole board and an increase in pay to the pardon board.

Secretary LeBlanc stated that the Parole Board changes are a complete turn-around with the new members and training that has been done. He said that a big part of the changes is that DOC now has a good working relationship with the parole board now. He suggested that the merger of the two boards may no longer be needed. His office is working with the governor's office on this issue right now.

II. Status of Legislative Instruments related to Commission Recommendations:

A packet was given of updates of the sentencing commission bills that are before the legislature now. Some changes were made. Some of the changes were anticipated and some were not.

HB512 Moreno – Administrative Sanctions

Some changes were made but it still does what the committee intended. LDA made the suggested changes.

Rest of the bills are moving along HB 432, 518, 519, 521, 1068, 994 and 1026

HB 1039 regarding home incarceration has been deferred by the writer. It was suggested that the sentencing commission send an opposition to this bill or at least testify against it. Secretary LeBlanc and his staff are working with the writer to see if they can come to a compromise. LeBlanc will notify the commission if it comes back to the legislatures.

HB827 Escape from Home Incarceration

Narrows and complicates the statute to read "home incarceration under sheriffs." This bill is being presented by Rep. Hazel. The commission will look to see when it is set and may recommend a re-draft.

Juvenile Lifers Issue= Graham: The Law Institute will be working on this issue to pass a bill to address parole eligibility.

IV) Report of Committees, Organization, and Program of Work for the 2013 Term

Judge Wicker announced that she will now chair Workgroup I, Front End Committee. Judge Laurie White and Judge Jimmy Gaidry will co-chair the Workgroup II, Release Mechanism Committee.

Judge White is also now a member of the Reentry Committee. The co-chairs of the Reentry Committee are Charles Riddle and Rhett Covington.

The Front End Committee did not meet today, but a handout was given of a list of the future work that the committee will be working on.

1. Re-write 1498 (DWI) to simply to make it a usable document
2. Use of risk/needs assessment at critical decision points prior to execution of sentence
3. Sentencing Workbook
4. Expanded utilization of Problem Solving Courts: MOVED TO RELEASE MECHANISM COMMITTEE
5. Review and revision of Title 40 Uniform Controlled Dangerous Substances Law
6. Review the issue of time delays related to offenders that have been determined incompetent to participate in their own defense.
7. Review and revision of the Sex Offender Assessment Panel law: MOVED TO RELEASE MECHANISM COMMITTEE
8. Research the path of offenders incarcerated between the ages of 16 and 21: MOVED TO RELEASE MECHANISM COMMITTEE
9. Research mental health services available to pre-conviction populations
10. Review the implementation of the Home Incarceration tracking : MOVED TO RELEASE MECHANISM COMMITTEE

The Release Mechanism Committee will be working on the above issues and also on the following:

1. Review the Texas model for Medically Recommended Intense Supervision
2. Review relationship between populations under supervision and serious reoffending in the Baton Rouge, New Orleans, and Shreveport areas

3. Monitor implementation of the revisions in membership qualifications and training relative to the Parole Board
4. Review utilization and structure of C.Cr.P. Art 984.2
5. Review the implementation of Administrative Sanctions
6. SOAP committee will work on issues

Re-entry Committee (Rhett Covington) reported on the work that this committee is doing. Whalen Gibbs gave a report of his team's work on Transitional Work Program. They are still looking at the data that they have collected.

The Substance Abuse groups are meeting and looking at information that has been gathered. Research is being done. They are looking to see what is available at the local jails. They will send out a survey to obtain this info.

The Educational group has monthly meetings. They are looking at accreditation of the educational programs being offered. They will also look at the qualifications of the staff of existing programs.

A survey is being sent out to see who offers GED classes and other educational classes. They will get the contact information from the local jails.

These are some of the issues that this committee will be working on:

1. Review the continuity and availability of substance abuse treatment for incarcerated populations
2. Review the relationship between educational levels and offending
3. Examine the level of educational services available for all correctional populations
4. Review the relationship between offender family relationships and recidivism
5. Review the availability and accessibility of substance abuse treatment and testing services for persons incarcerated as well as under supervision
6. Review the utilization patterns of Transitional Work Programs and their impact
7. Review the impact of the collateral consequences of conviction and expungement laws on re-entry and successful employment

Research and Technology Committee: Frank DiFulco reported the work of the committee on collecting data. They are working on a new charge code to be used statewide by all of the justice partners.

They are also working on enhancing the appeal dockets for modification of sentencing.

Some of the other issues that this committee will be working on are:

1. Continue the development of methods to ensure the timely sharing of appropriate information among entities involved in this criminal justice process.

A powerpoint presentation from the Louisiana Reentry Advisory Council was presented by Rhett Covington and Whalen Gibbs. They made a suggestion that since this council and the reentry committee are basically working on the same issues that the two merge and make the members of the advisory council also members of the Reentry Committee.

All Louisiana Commission Members agreed to the merger.

VI Other Business—none

3:10pm Ricky Babin adjourned the meeting.