

**Minutes of the Louisiana Sentencing Commission**  
**DOC Headquarters, Building 1**  
**504 Mayflower, Baton Rouge, LA 70802**  
**1:00 p.m. July 19, 2012**

The meeting was called to order Chairman Ricky Babin

**Members Present**

Honorable Ricky Babin  
Mr. Robert Barkerding  
Honorable Louis Daniel  
Honorable Laurie White (Proxy for Honorable Lynda Van Davis)  
Mr. David Dugas  
Mr. John DiGiulio (Proxy for Ms. Jean Faria, State Public Defender)  
Honorable Fredericka Wicker (Proxy for Honorable Greg Guidry)  
Mr. Cheney C. Joseph, Jr.  
Angela Whittaker (Proxy for Secretary James Leblanc)  
Ms. Mary Manhein, LSU Forensic Sciences  
Honorable Michael McDonald  
Rustin Legendre (Proxy for Mr. Robert Mehrtens, Louisiana Commission on Law Enforcement)  
Representative Pat Smith (Proxy for Helena Moreno)  
Honorable Ricky Babin (Proxy for Honorable Charles A. Riddle)

**Committee and Advisory Members**

Darryl Campbell, DOC  
Rhett Covington, DOC  
Tracy DiBenedetto, DOC  
Frank DiFulco, LASC  
Melanie Gueho, DOC  
William Kline, DOC  
Sandra Laborie, 5<sup>th</sup> Circuit Court of Appeals  
Phyllis Sheridan, DOC/P&P  
Gerald Starks, DOC/P&P HDQS  
Barry Matheny, DOC/P&P

**Guests**

David Alexander, Talgot Development  
Cloyce Clark, Governor's Office  
Linda Duscoe, CURE  
David Cressy, Tulane University  
Jay Dixon, 14<sup>th</sup> JDC Public Defender  
Steven J. Falker, Office of Juvenile Justice  
Sheila Feigley, Private Citizen/Crime Victim

Linda Milligan, LA CURE  
Rhonda Nichols, AIM  
Dr. Peter Shark, Tulane University  
Donna Tate, Smart Start of LA  
Ashanti Witherspoon, Miracle Place Church  
Checo Yancy, LA CURE/Re-Entry

#### I. Roll Call

- a. Roll Call was taken by Katherine Lee, LCLE

#### II. The minutes of the previous meeting were approved

Motion by Cheney C. Joseph, Jr.  
Second by John Di Giulio

#### III. Committee Reports

- a. Front End Committee: Honorable Ricky Wicker

The Committee is starting to put teams together. The major topics currently under consideration are:

1. Levels of fines, fees and court costs;
2. Thresholds for theft, burglary and drug offenses may need adjusting (quantity and valuation);
3. Continue work from last year on Mandatory minimums and parole restrictions;
4. Revision of R.S. 14:98 (DUI) to make the statute more compact, comprehensible, and useful;
5. Revision of R.S. 110 (Simple Escape);
6. Development of a sentencing workbook for the use of the Judiciary generally based on existing law;
7. Exploring the use of risk/needs assessment in the bail bond process.

- b. Release Mechanisms Committee: Honorable Laurie White

The Committee did not meet this month as a whole; however work groups are continuing to pursue the Committee's long-term assignments:

1. Administrative Sanctions work group is requesting the addition of Jerry Gairand and Steven LaSalle to the team.
2. The Infirm and Medical Parole work group needs a member representing the nursing home industry and a representative from the District Attorney's office.
3. Home Incarceration/Deferred Sentencing Committee would like to add Judge Joe Harrison to the team.
4. Nothing to report on Goodtime and Uniform Sentencing Order.
5. Sex Offender Assessment Panel has been working with the Public Defender's office on a draft revision of the civil commitment process and possible revisions to R.S. 15:560. A second draft will be circulating within two weeks.

- c. Re-Entry and Evidence Based Corrections: Mr. Rhett Covington

1. Substance Abuse workgroup did not meet. Telephone conference was deferred due to a meeting with Secretary James LeBlanc regarding finding resources or having 100 beds in all state facilities.

2. Education work group reported that in 2014 the GED testing procedure will go paperless and the cost of taking the test will increase. This will create issues of cost to the inmate and access to computers. The work group is exploring the possibility of Louisiana issuing its own GED equivalent so as to avoid these problems.
- d. Research and Technology Committee: Mr. Frank DiFulco
1. The group had a meeting with DOC to work on the goal of exchanging data to try to minimizing the extra work of re-entering data and it will also help minimize making errors. The group is also trying to create a system that doesn't rely on the Revised Statue for coding, but use a coding that everyone can use and exchange data using codes that have the same meaning.
  2. The group is working at the exchange event level, for example, what needs to be part of the data that goes to the District Attorney's office for court.
- e. Report of the Justice Reinvestment Oversight Committee: Honorable Ricky Wicker
1. Working with VERA on a grant application to the Bureau of Justice Assistance (U.S.D.O.J) to help implement statutory changes that have occurred within the past two years.
  2. The funding will provide help in the form of technical assistance and training.
  3. A letter has been written and submitted to commission for an approval before submission.

IV. Discussion and Assignment of HCR 113 – Assigned by the legislature as a study resolution. Release Mechanism was assigned this task. February is the deadline before 2013 Regular Session of the Legislature.

V. Other Business –

1. Judge Ricky Wicker asked that a criminal defense attorney or a public defender serve on the advisory committee. Both Paul Mark (Chief Public Defender in Lafayette) and Jay Dixon (Chief Public Defender in Calcasieu and Cameron) has agreed to work as advisory members.
2. The NASC Conference will be meeting in Chicago, Ill on August 5-9, 2012. Register online if you would like to attend.
3. The Parole Board will make a presentation at the next Sentencing Committee meeting.

A motion was made for adjournment of the meeting by Honorable Ricky Wicker and second by Honorable Michael McDonald.