

**Minutes of the Louisiana Sentencing Commission
Department of Corrections Headquarters, Building 1
504 Mayflower, Baton Rouge, LA 70802
September 17, 2015
1:00 p.m.**

The meeting was called to order by Mr. Tyler Downing at 1:11 p.m.

Members Present

Honorable Charles Ballay (by phone) (proxy for Ricky Babin, Chairman)
Honorable Charles Ballay (by phone)
Honorable Louis Daniel
Ms. Debbie Hudnall
Honorable James T. Dixon
Honorable Hans Lilgeberg (proxy for Honorable Greg Guidry)
Mr. Cheney Joseph
Secretary James LeBlanc
Honorable Robert Kostelka (by phone)
Honorable Louis Daniel (proxy for Honorable Michael McDonald)
Honorable Laurie White

Committee and Advisory Members

Rhett Covington, DPS&C
Frank Difulco, LASC
Tyler Downing, LCLE
Jennifer Eagan, LASC
Martha Morgan, OJJ
Jennifer Watson, LCLE
Ms. Angela Whittaker, DOC

Guests

Linda Lala Duscoe
Mr. James Windam, CAPARC
Mr. Checo Yancy, CAPARC

I. Welcome and Introductions

Mr. Tyler Downing

Mr. Tyler Downing introduced himself as a representative of Louisiana Commission on Law Enforcement and welcomed members.

II. Approval of Minutes

Mr. Tyler Downing

Motion by Honorable Hans Lilgeberg. Seconded by Honorable Lou Daniel. No objections.

III. Reports of Committees

Mr. Tyler Downing

A. Release Mechanisms and Re-Entry Committee

Honorable Laurie White, Mr. Rhett Covington, and Ms. Jennifer Eagan

Honorable Laurie White met with other Re-entry Court judges and Angola staff at a symposium at Angola Prison on August 28th to discuss relevant issues affecting recently released offenders. Ms. Jennifer Eagan noted the need of a uniform Risk/Needs Assessment tool for re-entry court – presented by Keith Nordyke at the Angola meeting. She mentioned the suggestions of the Angola Mentors for more thorough screening of Re-Entry clients, such as screening for learning disabilities or mental health issues. To avoid collateral consequences of conviction, such as employment prohibition, many states are issuing Certificates of Rehabilitation as an alternative. Model legislation was presented to the Commission.

Honorable James Dixon moved that a Louisiana-specific policy of issuing Certificates of Rehabilitation to eligible offenders be researched further by the Release Mechanisms and Re-Entry Committee with the assistance of the Louisiana Commission on Law Enforcement. Honorable Laurie White seconded the motion. No objections or abstentions.

Mr. Rhett Covington reminded the Commission of a white paper by the Substance Abuse Workgroup, which discussed the education and treatment of offenders. The paper is being updated and will be submitted for review to the Commission. Secretary James M. Le Blanc asked Mr. Covington to bring the initiative to the next meeting. However, Secretary Le Blanc mentioned he is reluctant to push any legislation forward regarding substance

abuse because a new Governor will take office in January. He predicted re-entry issues will not take priority because the executive staff will be concerned with the State's budget deficit. Honorable Laurie White noted she signed an agreement with the OMV and DOC that offenders can now apply for drivers' licenses at the prison prior to being released.

B. Office of Juvenile Justice Studies

Ms. Martha Morgan

No report. The Juvenile Justice subcommittee has been disbanded as per agreement between Chairman Ricky Babin and Dr. Mary Livers.

Jennifer Eagan added the Louisiana Council of Juvenile and Family Court Judges meet twice a year. Several subcommittees work on different issues. One issue that came up was the need for a uniform Juvenile Justice Assessment Tool. She suggested that the adult offender risk/needs assessment tool be shared with juvenile court judges for use with juveniles, or that a similar tool be created for juvenile assessments. A Resolution written considers raising the age of Juveniles to 18. In principal, OJJ is in favor of this policy shift, though Martha Morgan acknowledged it would likely increase OJJ's placement burden. Frank DiFulco stated that the extent of this burden has already been measured by assessing the current number of 18 year olds being charged as adults. Survey of all the district judges will be taken during the fall conference. Information from resolution will be used to report to the legislature in 2016.

C. Research and Technology

Mr. Frank DiFulco

The Judicial Admin Office provided data requested by the District Court Judges committee working on the resolution for juvenile offenders convicted as adults. CMIS was able to provide possible cases for further review by the committee. CMIS generated two data sets with several caveats: that the committee would need to verify the data, that this may not be all the cases because if the court was not provided the DOB or the arrest date with the bill of information then a record could not be used. Two data sets were provided: one where the court was provided the DOB and date of arrest and one was provided only the DOB so the filing date was used to generate the data set.

CMIS posted the following categories and records to the FBI NICS system as of September 17th, 2015:

Felony Convictions: 23,227
Misdemeanor crimes of Domestic Violence: 2,105
Court Order Firearm Prohibition: 618
Firearms prohibition as a condition of misdemeanor probation: 1,338
Mental Health Records:
 Not Guilty by reason of insanity: 60
 Incompetent to Stand Trial: 347
Protection Orders:
 Criminal Protection Orders: 4749
 Civil Protection Orders: 8329
Civil Orders of Judicial Commitments: 562

IV. Other Business

Secretary LeBlanc thanked Natalie LaBorde for her service to the Commission as a voice for the Office of the Governor.

VII. Next Meeting

With this meeting, the commission has met four times in 2015. The commission previously moved, at its June 2014 meeting, to have a total of six pre-set meetings annually, which would require the commission to meet two more times before December 31, 2015. **Honorable Laurie White moved that the commission meet only one more time this year. Honorable James Dixon seconded the motion. No objections or abstentions.** The next meeting of the Louisiana Sentencing Commission will be November 19th, 2015.

VIII. Adjourn

Honorable Cheney Joseph motioned to adjourn. Seconded by Honorable Lou Daniel. No objections. The meeting was adjourned at 1:50 p.m.