

**Minutes of the Louisiana Sentencing Commission**  
**Department of Corrections Headquarters, Building 1**  
**504 Mayflower, Baton Rouge, LA 70802**  
**March 15, 2012**  
**1:00 p.m.**

I. The meeting was called to order Chairman Ricky Babin at 1:07 p.m.

**Members Present**

Honorable Ricky Babin, Sentencing Commission Chairperson  
Captain Ryan Turner (Proxy for Honorable Louis Ackal)  
Honorable Mike Cazes  
Honorable Louis Daniel  
Honorable David Dugas  
Mr. John DiGuilio (Proxy for Ms. Jean Faria, State Public Defender)  
Honorable Ricky Wicker, Judge, 5<sup>th</sup> Circuit (Proxy for Honorable Greg Guidry)  
Ms. Debbie Hudnall, Louisiana Clerks Association  
Mr. Chaney Joseph, Louisiana Law Institute  
Alden Clement (Proxy for Senator Robert Kostelka)  
Mr. Jimmy LeBlanc, Secretary of Corrections  
Ms. Mary Manhein, LSU Forensic Sciences  
Honorable Jimmy Gaidry (Proxy for Honorable Michael McDonald)  
Mr. Robert Mehrtens, Louisiana Commission on Law Enforcement  
Representative Helena Moreno (Proxy for Representative Ernest Wooten)  
Honorable Ricky Babin (Proxy for Honorable Charles A. Riddle)

**Committee and Advisory Members**

Ethan Ashley, Juvenile Justice Project of Louisiana  
Kim Barnette, Department of Corrections  
Rhett Covington, Department of Corrections  
Frank Difulco, Louisiana Supreme Court (By Phone)  
Whalen Gibbs, Department of Corrections  
Melanie Gueho, Department of Corrections  
Sandra Laborie, 5<sup>th</sup> Circuit Court of Appeals  
Sonya Lars, Louisiana Commission on Law Enforcement  
Martha Morgan, Office of Juvenile Justice  
Genie Powers, Department of Corrections  
Rob Reardon, Lafayette Parish Sheriff's Office  
Greg Riley, Louisiana House of Representatives (By Phone)  
Raman Singh, Department of Corrections  
George Steimel, LADCL  
Vanessa Tom, Office of Juvenile Justice  
Bob White, Plaquemines Parish District Attorney's Office

**Guests**

Linda Duscoe, CURE  
Sheila Feigley, Private Citizen/Crime Victim

James Windom, Capital Area Re-Entry Coalition  
Ashanti Witherspoon, Miracle Place Church  
Checo Yancy, LA CURE/Re-Entry

### **Juvenile Justice Project of Louisiana**

Carmel Henry, Howard Law  
Matthew Emmick, Howard Law  
Rohan Grey, Columbia Law  
Durriygan Rose, Howard Law  
Grace Brooks, Howard Law  
Feifei Jiang, Columbia Law  
Kate Wellman, Columbia Law

Chairman Babin introduced the members of the Juvenile Justice Project of Louisiana and gave them a quick overview of how the Louisiana Sentencing Commission functions.

II. Approval of Minutes

**Moved by Hudnall**

**Second by Dugas**

**Approved**

III. New Member Orientation PowerPoint – Presenter Angela Whittaker

PowerPoint creators Carle Jackson and Camille Conaway

- A. Chairman Babin reminded the membership of the importance of attending meetings and committee meetings regularly.
- B. Chairman Babin reminded the Commission Members to update their permanent designated proxy with an individual that is knowledgeable about the subject matter and keeping abreast of the Sentencing Commission's work and focus.

IV. The Agenda was amended to include committee reports.

**Moved by McDonald**

**Second by Gaidry**

**Approved**

V. Organization for 2013 Term

- A. Re-Entry Committee Review Work Release Program – Improve delivery of involvement of programs into the communities where the offenders will be release to facilitate the possibility of continued employment upon re-entry into the community.
- B. Front End Committee – Judge Wicker suggested these items for this committee:
  - 1. Redrafting Title 40;
  - 2. Review the issue of time delays on offenders that are determined to be incompetent to participate in their own defense;
  - 3. Risk Needs Assessments;
  - 4. Home Incarceration being included in the Clerks of Court Minute entries;
  - 5. The SOAP statute needs to be rewritten to give more clarification;

6. Review Drug Courts based on information supplied to the Louisiana Supreme Court;
  7. Dr. Singh will review the Mental Health component to see what can be done pre-incarceration to address these issues to reduce the number incarcerated;
  8. Research the path of offenders incarcerated between the ages of 16-21 to see where they are in relation to incarceration or parole eligibility 20 years later.
- C. Secretary LeBlanc wants Release Mechanisms to revisit the issue of Medical Parole.
1. Texas implemented Medically Recommended Intense Supervisions (MRIS). There are current 300-400 infirmed offenders that costs the state approximately \$70,000 each to provide for their medical needs.
  2. Review Probation and Parole to determine how this area can have an impact on the high murder rates in New Orleans and Baton Rouge.
    - a. Minimum Caseloads;
    - b. Justice Reinvestment of savings back into P&P services to increase productivity;
    - c. Use of GPS as another option;
  3. Parole Board has three new members.
    - a. Provided a two day training for all Parole Board members
    - b. The Parole Board members will also be attending the NIC training in Denver.
    - c. Developing a Needs Assessment for the Parole Boards use in reviewing offender applications.

## VI. Committee Reports

- A. Research and Technology – Melanie Gueho
1. Continuing the discussion on the common Charge Code Table that the Louisiana Supreme Court will support. The Charge Code Table will have a common code format that all agencies will use to track data.
  2. Next the R&T Committee will look at the integration of SID (State Identification Number) for adults, juveniles and application.
  3. Babin and DiGuilio commented on the importance of having a unified charge code system to simplify the process.
  4. Secretary LeBlanc gave an update on the bid process for a new DOC system to replace CAJUN. The new system will be a dashboard system that will eliminate the need for several systems.
- B. Re-Entry and Evidenced Base committee – Rhett Covington
1. Whalen Gibbs reported that the Transitional Work Program (formerly Work Release) has recognized that most offenders are only in the program for 8 months. Of the three tiers of eligibility they could be eligible at six months to three years prior to release. (6 months for those who have committed an enumerated offense, eligible at 12 months prior to release if they have served 15 years or eligible three years prior to release if they have no enumerated offense.) The committee will review the reasons why this is occurring and report back in April.
- C. Re-Entry Substance Abuse Treatment Rob Reardon
1. The Committee is gathering data on current Drug Courts from the Louisiana Supreme Court.
  2. Determining if there are performance standards in place for drug treatment

3. Reviewing financing for drug treatments through DHH.
4. Concerns about non-profits being able to continue to operate due to limited funds accessibility.
5. Local jails have no funding for licensed treatment counselors.
6. Shreveport is a test site for the 90-day turnaround on treatment.
7. Discussed the use of designated beds for substance abuse treatment within DOC.

D. Re-Entry Education – Kim Barnette

1. Reviewing how the lack of education contributes to increased number of offenders at the adult and juvenile levels.
2. Reviewing the impact of education programs in correction facilities on the recidivism rate.
  - a. Judge Wicker asked the committee to also look into the impact of expungements and job training received in DOC facilities as well as the difficulty of receiving a TWIK card to be hired in by some employers.
  - b. Rhett Covington explained that they are automatically denied but can appeal. The appeal approval rate is approximately 80% for those that can afford it, however the cost of \$132 is prohibitive for most offenders.
  - c. Chaney Joseph reported the Law Institute continues to review this issue, but have determined that this will require legislation to make a substantive change.

VII. Legislative Support 2012

- A. Chairman Babin informed the group that the legislative proposals of the Sentencing Commission may need members to speak on behalf of the legislation as it presented to the legislative committees.
- B. The proposed legislation includes:
  1. HB 432 Repeals Louisiana Risk Review Panel Authority – Representative Lopinto
  2. HB 512 Administrative Sanction Proceeding Admission – Representative Moreno
  3. There were three pieces of legislation on the merger of the pardon and parole boards:
    - HB 518 Merger of Parole and Pardon Boards – Representative Lopinto
    - HB 519 (Constitutional Amendment) Merger of Boards of Parole and Pardons – Representative Lopinto
    - SB 400 Board of Pardon and Parole Merger – Senator Morrell
  4. HB 521 Workforce Development Sentencing Program (Re-Entry Courts) – Representative Moreno
  5. HCR 3 Expungement Law Revision – Representative Lopinto
  6. SB 401 Minimum Mandatory Sentence Waiver- Senator Morrell
- C. Representative Moreno gave some updates on the proposed legislation.
  1. HB 512 was attached to the Civil Law Committee but Representative Moreno is working to have it moved to Criminal Justice Committee.
  2. The Judges in New Orleans are concerned that they will lose space in the program if it is opened to other jurisdictions. Secretary LeBlanc responded that there will be enough space if others jurisdictions are included.

VIII. Other Business

- A. Judge Wicker stated that the new members need to be assigned to committees.
1. Representative Moreno asked to be added to the Re-Entry.
  2. Ryan Turner will check with Sheriff Ackal to find out his preference.
  3. Alden Clement will confer with Senator Kostelka to get his preference.

IX. Adjournment

**Moved by LeBlanc**

**Second by Dugas**

**Approved at 2:04 p.m.**