

**Minutes of the Louisiana Sentencing Commission
DOC Headquarters, Building 1
504 Mayflower Street, Baton Rouge, LA 70802
1:00 p.m. January 17, 2013**

The meeting was called to order Chairman Honorable Ricky Wicker

Members Present

Honorable Ricky Wicker Acting Chairman (Proxy for Honorable Ricky Babin, Chairman)
Captain Ryan Turner (Proxy for Honorable Louis Ackal)
Honorable Mike Cazes
Charles Ballay (Proxy for Honorable John DeRosier)
Ms. Jean M. Faria
Honorable Ricky Wicker (Proxy for Honorable Greg Guidry)
Ms. Debbie Hudnall (Proxy for Mr. Mark Graffeo)
Mr. Cheney C. Joseph, Jr.
Mr. Alden Clement (Proxy for Robert Kostelka)
Secretary James M. Leblanc
Helena Moreno (Proxy for Representative Joseph Lopinto, III)
Honorable Jules Edwards (Proxy for Honorable Jay B. McCallum By Phone)
Honorable Michael McDonald
Mr. Ruston Legendre (Proxy for Mr. Robert Mehrtens)
Representative Helena Moreno
Honorable Laurie A. White

Committee, Advisory and Staff Members

Rhett Covington, DOC
Frank DiFulco, LASC
Whalen Gibbs, DOC
Melanie Gueho, DOC
Carle Jackson, LCLE
Natalie LaBorde, Governor's Office
Sandra Laborie, 5th Circuit Court
Katherine Lee, LCLE
G.F. Martin, Orleans Parish DA's Office
J. Edward McAuliffe, Orleans Parish DA's Office
Genie Powers, DOC
Opal West, LCLE

Guests

Ethan Ashley, Black Alliance for Educational Options
Linda Lala Duscoe, LA CURE
Shelia Feigley, Private Citizen
Steven Forber, Office & Juvenile Justice
Tawanda Green, Rejoice 4 Re-entry

Mummi Ibrahim, Juvenile Justice Project of LA
Debra Sheehan, LA CURE
Sara Tirrell, 19th Judicial District Office

I. Roll Call

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

II. The minutes of the previous meeting were approved

- Motion by Honorable Mike Cazes
Second by Mr. Cheney C. Joseph, Jr.

III. Lafayette Mental Health Project Update: Carle Jackson

The committee will have their first session of court on January 31, 2013.

IV. Proposed Modifications to C.C.R.P. Art 881.1: Honorable Ricky Wicker

Deferred

V. Term Planning: Honorable Ricky Babin

No Additional Items for Consideration

VI. Discussion of Proposals being Vetted and Action

A. SOAP Sex Offender Assessment Panel Law

A lot of work has been done and the fiscal notes show the cost the projected is expense. Also the team has to work on setting other guidelines and reinvest time to evaluate the final outcome of lifetime commitment of SOAP.

B. OUI (Operating a vehicle while intoxicated)

The team is working on a rewrite of the statute to make them more readable. This proposal has been approved by the Commission and vetted out to Legislation.

C. Simple Escape Revisions – The draft is final and is already out for vetting.

D. Cleansing Period for Parole Eligibility – Out for Vetting

VII. Items Brought for Consideration: Honorable Ricky Babin

1. Pretrial Services/Out for Vetting/Motion to Amendment to strikethrough language
2. Bond Forfeiture statute/Out for Vetting/Language changed back into the original statute
3. Conditions of Pretrial Release/bail/Adopted and Out for Vetting

VIII. Committee Reports: Honorable Ricky Babin, Chairman

A. Front End Committee – Honorable Ricky Wicker

Team 1. Fines, Fees and Court Costs, the team has developed a new pilot program to present a proposal for Legislation to permit to test the use of Pre-sentence Crimogenic Risk Needs Assessment. They will present a draft bill next month and needs an author.

Team 2. Thresholds: Monetary and Amounts and Drug Statutes, the team is working on updating title 14 grid, after the update all three grids will go out to all judges.
Team 3. Mandatory Minimums and Parole Restrictions, the team needs an author for the cleansing period bill. Amendments made to 15:574.4 re: parole for 3d and 4th offenders with drug offenses etc. in certain specific situations. They introduced Mandatory treatment statute.
Team 4. OWI: This bill has been voted out and needs an author.
Team 5. Simple Escape: This bill has been voted out and needs an author.
Team 6. Sentencing Workbook: The workbook has been deferred to post session.
Team 7. The team presented on Property Bonds; discussed where the effort stand for the revision of bail bond statute; and reported on what passed out last month regarding Pre-trial release.

B. Release Mechanism Committee – Honorable Laurie White

Parole & Pardons: The team discussed more members and involvement from Parole and Pardon Boards; follow through with parole and pardons regarding newly implemented conditions of parole.

SOAP: The team determined that the legislation does not appear to be financially feasible and recommends the committee tweak current legislation to define who does what; discussed Burden of Proof issue under R.S.15:550 determining who bears the burden with regard to parole of sex offenders.

Home incarceration: The team discussed potential regulation for potential providers of home incarceration making sure the providers follow the rules of reporting but there is no licensing. Suggestions were made to conduct a study to set standards for providers.

Uniform Sentencing Order (UCO)/Good Time: The committee plans to forward the uniform sentencing order form to the Chief Judge in JDC. The team will create a box on the form that will prevent DOC from having to go back and forth to compute/amend sentence time.

Medical Parole: The team discussed current problems with nursing home and getting nursing homes more involved in the committee projects.

C. Re-entry and Evidence Based Corrections Committee – Rhett Covington

Nothing new to report. The working groups discussed status and next steps for their teams.

D. Research and Technology – Melanie Gueho

The Supreme Court staff is continuing to build the new charge code system and getting the data entered. The team will meet next month when there is enough data in the system to discuss and review.

IX. Update on HCR 113: Honorable Laurie White

The team is continuing to work on the project

A motion was made for adjournment of the meeting by Chairman Ricky Babin and second by Honorable Ricky Wicker. The Honorable Ricky Babin, Chairman, adjourned the meeting at 3:00 p.m.