

# **Louisiana State Bar Association Criminal Justice Committee Meeting**

Thursday, Jan 12, 2022  
12:00 PM – 1:00PM Central Time

## **MINUTES**

*Co-Chair Jean Faria, Attorney at Law*

*Co-Chair Barksdale Hortenstine, Orleans Public Defender Office*

### **Attendees:**

- Alix Deschamp, Baton Rouge Capital Conflict Office
- Monica D. Doss, Rapides Parish District Attorney Office
- Jennifer Eagan, Louisiana Supreme Court
- Hon. Jules Edwards (ret.), 15<sup>th</sup> JDC
- Bobby Freeman, Louisiana District Attorney Office
- Paul Fleming, Jefferson Parish Public Defender Office
- Meghan Garvey, Orleans Public Defender Office
- Scherri Guidry, 15<sup>th</sup> JDC Public Defender Office
- Mithun Kamath, Orleans Parish District Attorney Office
- Loren M. Lampert, Louisiana District Attorney Office
- John Landis, Stone Pigman
- Quintillis K. Lawrence, Louisiana Department of Transportation and Development
- Janet Madison, Attorney at Law
- Professor Katherine Mattes, Tulane Law School
- Sharita Spears, Louisiana Department of Public Safety & Corrections
- Vanessa Spinazola, Justice and Accountability Center

### **LSBA Staff**

- Mariarenee Contreras, ATJ Projects Counsel
- Amy Duncan, ATJ Training and Projects Counsel
- Jordan Maier, ATJ Coordinator
- Monte Mollere, Director of Access to Justice

#### **I. Welcome and Introductions**

Co-Chair Barksdale Hortenstine led the committee meeting. Attendance was taken by having members introduce themselves and their respective organizations.

#### **II. Approval of Minutes from October 2021 Meeting**

Approval of October 2021 Meeting Minutes were moved by Barksdale Hortenstine and seconded by Scherri Guidry. Minutes were approved without edits or objection.

### **III. Agency Updates**

Committee members were asked to provide general updates related to COVID-19 safety protocols, recent disaster recovery, etc. by their respective geographical state location.

- North Louisiana: *No Updates.*
- Central Louisiana: *No Updates.*
- Southwest Louisiana: *No Updates.*
- Southeast Louisiana: *Updates provided below:*

The Louisiana District Attorney's office has been trying to work through a backlog of cases caused by COVID-19 and Hurricane related delays. An increase of serious violent crimes across all state jurisdictions was also reported. This has required more individuals to be detained prior to pre-trial. This has also affected the State's judiciary, public defender offices, sheriff offices, etc. LDAA is looking to start building a long-term plan to help move cases forward.

Orleans Public Defenders Office has been told not to expect any jury trials until after Mardi Gras. The office has been struggling with a long delay of jury trials especially with the holidays and new COVID-19 safety protocols. Clients sitting for a long time without hope of going to trial soon. The office has also been working to find new ways to help move cases forward in an equitable and ethical manner.

The Louisiana Supreme Court has recently issued a memo by Chief Justice Weimer that would allow for a moratorium on jury trials pursuant to each individual jurisdiction and district's situation. The Louisiana Supreme Court will no longer issue blanket moratoriums forestalling jury trials.

### **IV. Project Focus: Mental Health and the Criminal Justice System**

Due to the COVID-19 safety protocols, the Committee's planning group decided to move forward with a virtual criminal justice summit only. The agenda is now available on the LSBA website for anyone to view and registration information has been provided below. This year's keynote speaker is Dr. Xavier Amador with the LEAP Institute. Dr. Amador's LEAP institute teaches communication methods that help stakeholders create relationships with persons who do not understand and are unable to understand that they are ill with the goal of helping them accept treatment alternatives. This program is an evidence-based communication method and comes highly recommended.

The agenda includes interactive breakout sessions for all our state's important stakeholders to meet and discuss issues that affect the state's criminal justice system and mental health services and resources. Some breakout sessions will be intra-agency focused while other sessions will be inter-agency focused. These sessions will be important because the Committee's goal is to take away copious notes of the issues and memorialize solutions that people are seeing or starting to develop in their respective jurisdictions. This will be used

to produce a new committee report that can be easily disseminated and stamped with approval by the various organizations that are in the community.

The goal is to gain some traction to help improve the State's mental health services and the awareness of the mental health overlap between the criminal legal system and people with serious mental illness or cognitive challenges. Please contact Barksdale Hortenstine and Amy Duncan if you are interested in helping with the summit. The Committee's planning group requires assistance identifying and reaching out to potential stakeholders that would benefit from this event.

Jordan Maier provided step-by-step instructions on how to register and view the summit agenda. Members were encouraged to share with attorneys, court staff, judges, mental health professionals, and any other criminal justice stakeholders. Links for each CLE and breakout session will be shared before going into the event. Members are also encouraged to share any best practices and resource/tools materials that may be used by attendees of the summit to help individuals suffering from mental illness. Jean Faria will be working to create byproduct of these resources to share with members of the Bar.

- a. **Virtual Summit scheduled March 10-11, 2022**
- b. **[Registration Now Open](#)**

**V. Community Service Program Project Update - *Hon. Jules Edwards***

Judge Jules Edwards went over the project with the Committee. The guide document was made available for everyone to review. The intent is to craft a guide that would be made available to judges and local municipalities. The intent is also to provide some information as both groups attempt to collaborate with one another to publicly provide a supervisor of community service work. Typically, the background is that judges will allow for community service work at non-profit organizations, but the reporting of the work performed is often inconsistent. Judges need consistent recorded information about the work that is being performed as community service.

A governmental entity that is supervising the community service will be able to provide an objective report of the work being done as opposed to relying on private entities. This will also describe the kinds of considerations that judges will have in mind for reporting community service work and what community service providers have in mind as they craft the type of program they would like to implement in their designated jurisdiction.

Judge Edwards and his planning group received several comments about the project and the comments/edits have been taken into consideration. The document that recently went out should be a culmination of all the drafting work since then. Members were encouraged to sign on in support of the document. Having these signatures will show judges and local legislatures that the new guide was reviewed by several lawyers from different vantage points and who think the document worthy of consideration.

The Committee was asked to provide further input as to where this guide should be forwarded and promoted to help further the project's impact in the community. This project would help modest means persons affected by the criminal justice system. It is important for district attorney offices across the state to review it and understand what community service means and its effects on those affected by these kinds of programs. Private entities that support community service work record people's hours inconsistently which then leads to long-term negative effects. Community service can be a valuable tool if it is thoughtfully implemented. This project has been a two-year project and needs to be finalized.

Judge Edwards also requested input from the municipal associations. Jennifer Eagan mentioned the possibility of sharing the guide at this year's upcoming Summer School Conference. At Summer School, there will be a whole day dedicated to criminal law related trainings and Jennifer hopes to have this guide ready to share. A suggestion was made to launch a few pilot programs throughout the state that could help local stakeholders start more efficient community service programs and then build off those successes. Developing talking points to help share the information with members is another step recommended. Loren offered to support educational efforts.

Monica D. Doss to help reach out to the district judges in the 9<sup>th</sup> JDC, specifically Judge Koch and Judge Doggett. Judge Edwards will continue to work on the project's document draft and will be looking to finalize it in the upcoming months and possibly start planning for pilot projects across the State.

#### **VI. Open Discussion (5 minutes)**

Committee members invited to submit new initiatives for the Committee to take on over the next few years. Members were encouraged to share their ideas with the group. Mental Health awareness is an important topic, but it is not the only topic that affects the criminal legal system, and it is important for the Committee move on to new initiatives.

Jennifer Eagan mentioned an effort to launch a Statewide Warrant Registry project. Many entities have been working independently on the project. This could be an initiative for the Committee to help provide education and awareness. It is gaining momentum this year with new legislation coming up in the new legislative session.

#### **VII. Next Meeting – Summit (5 minutes)**

Barksdale encouraged members to share the summit and help the committee identify stakeholders who should attend. The next committee meeting will be the Summit. CLE credit will be made available for both attorneys and judges. As always, anyone who is interested in helping please contact Barksdale, Jean, Norma, or Amy.

#### **VIII. Adjourn - Moved by Barksdale and Seconded by Jean to adjourn.**