

Louisiana State Bar Association Criminal Justice Committee Meeting

Wednesday, March 1, 2023
12:00 PM Central Time

Minutes

Attendees:

Barksdale Hortenstine (Co-Chair), Orleans Public Defenders
Norma Dubois, Jefferson Parish District Attorney's Office
Carmen Cofano, Justice and Accountability Center of Louisiana
Ashley Deschamp, Baton Rouge Capital Conflict Office
Hon. Jules Edwards, Lafayette City Court
Paul Fleming, Fleming Law Firm
Scherri Guidry, 15th JDC Public Defender Office - Lafayette Parish
Jimmie Herring, Attorney at Law
Mithun Kamath, Orleans Parish District Attorney
Quintillis Lawrence, Dept. of Homeland Security
Simone Levine, Attorney at Law
Jared Elijah-Akeem Nelson, Liskow & Lewis, APLC
Sarah Omojola, Vera Institute of Justice
Charles Raymond, Forrest Cressy and James, LLC
Edward Tarpley, Attorney at Law
Angela Waltman, Waltman & Waltman, LLC

Guest Presenters:

Russell Cortazzo, Louisiana Supreme Court
Dr. Kim Mosby, Vera Institute of Justice
Patti Tobias, National Center for State Courts

LSBA Staff:

Amy Duncan
Monte Mollere

I. Approval of Minutes from December Meeting

Norma Dubois

Minutes from the last meeting were approved.

- II. ICJIS Policy Board** (*Russell J. Cortazzo, Jr., J.D., LASC CMIS Manager*) – During the last meeting, Jennifer Eagan mentioned the work of the ICJIS Policy Board and its relevance to the initiatives proposed by the Committee regarding uniform data sharing between justice stakeholders. Attorney Russell Cortazzo, the Louisiana Supreme Court's Case Management Information Systems Manager, and participant on the ICJIS Policy Board gave a presentation on the Integrated Criminal Justice Information System (ICJIS) Policy Board, its authority, reporting requirements, and projects related to interoperable data exchange between criminal law agencies and stakeholders (PowerPoint attached). ICJIS is working to 1) make interfaces between agencies more consistent with same language, formats, and error handling to increase accuracy and automate data sharing and 2) make charge codes more consistent. ICJIS met March 2 in Baton Rouge. Meetings are public and anyone can attend.

- III. National Center for State Court (NCSC)’s Judicial Task Force Report and Recommendations** (*Patti Tobias, NSCS*) – Informational item on the “[State Courts Leading Change Report and Recommendations](#)” authored by the NCSC Judicial Task Force to examine state courts’ response to mental illness. In October of last year, the NCSC’s National Judicial Task Force to Examine State Courts’ response to Mental Illness released a report and recommendations on their findings. Patricia Tobias, Principal Court Management Consultant at the National Center for State Courts, shared the findings and recommendations (see pages 3, 47, and 50). NCSC is providing technical support to several jurisdictions throughout the country to address courts response to mental illness and hopes to work closely with Louisiana via trainings, support, and other efforts. There are 11 recommendations, and the report encourages state court leaders to lead these efforts by partnering with community based treatment providers, use a public health model rather than criminal justice system, and figure out what works best community by community as well as judge by judge. NCSC will reach out to Chief Justice and State Court Administrators to invite all state courts to designate a judge and nominate a psychiatrist to come to a train the trainer workshop on a three-hour training related to mental health conditions, substance use disorders, co-occurring disorders and how to improve interactions in the courtroom and in the communities. The report includes four pages of resources and publications.
- IV. Vera Institute Data Hub Update** (*Dr. Kim Mosby and Sarah Omojola, Vera Institute of Justice*). During the last meeting, Vera shared information about a new project they are launching to provide a statewide perspective of jail populations from a quantitative and qualitative analysis perspective. Dr. Kim Mosby, Assoc. Director of Research at Vera and Sarah Omojola, the Associate Director, provided a demo of the data hub, which included prison admission rates by parish compared with the U.S. average, pre-trial incarceration rates, number of jails and prisons overtime, and much more. The data hub will be released soon and the link to the hub will be provided to the criminal justice committee members when published. A soft launch of the tool will be released in March to ask community partners for thoughts before the hard launch takes place in Baton Rouge April 19. Vera hopes this data will inform legislators and partners.
- V. Louisiana Mental Health Association Conference Collaboration** (*Barksdale Hortenstine*) – Update on legal workshops hosted by the Committee at the LAMHA’s annual state conference for mental health professionals and opportunity for judges and lawyers to attend at no cost. <https://lamha2023.heysummit.com/>. This Committee will host three legal workshop sessions worth CLE on the intersection of mental health and criminal justice at the LAMHA’s annual conference themed “Top of Mind.” The conference is geared towards educating social workers, peer support specialists, licensed professional counselors, school counselors and more – presenting a unique opportunity for the legal community and the mental health community to learn and work together. The agenda for the legal workshops are attached, which feature three sessions – the first an overview of the interplay/impact on mental health when a SMI interacts with the criminal justice system shown in different stages presented by Barksdale Hortenstine, Richard Bourke, and Dr. Brad McConville. The second session we partnered with NCSC for Judge Steve Leifman from Miami-Dade County Court to present information on their nation-leading program that diverts people with mental illness and low risk to public safety away from the criminal justice system and into community-based treatment. Judge Kern Reese, Janet Hays and Attorney Terrance Prout will talk about the Louisiana AOT court model in the final session. LAMHA are allowing a limited number of attorneys and judges to attend these three sessions at no cost. Please email Amy Duncan if

you are interested in attending the conference for these sessions and she will provide you with instructions on how to register depending on capacity.

VI. Discussion Items:

- a. 2023-2024 Appointments: Deadline is April 12, 2023, for *new* members to apply for [Committee Appointments](#); existing members email amy.duncan@lsba.org. Appointments for the CJC will be finalized between April and June. If you would like to remain on the Committee, respond to an email sent by Amy after this meeting. We would like to encourage more judges to join the Committee. If you have any recommendations, please send them to Amy.
- b. Project Proposals: presented at the start of the 2023-2024 Bar year meeting in August/September. Encourage members to consider projects and initiatives now that they would like to present at the first meeting of the bar year (next meeting). 2–3-year projects will be considered.
- c. Other Discussion Items: open forum for members to discuss relevant topics/updates. There were no additional discussion items.

VII. Next Meeting will be the conference on April 26. Amy will be out on leave from April through June. Contact the Chairs, Monte Mollere, or Bridget Berins if you have any questions, comments, or concerns during that time.

VIII. Adjourn



Louisiana Integrated Criminal Justice Information System (ICJIS)

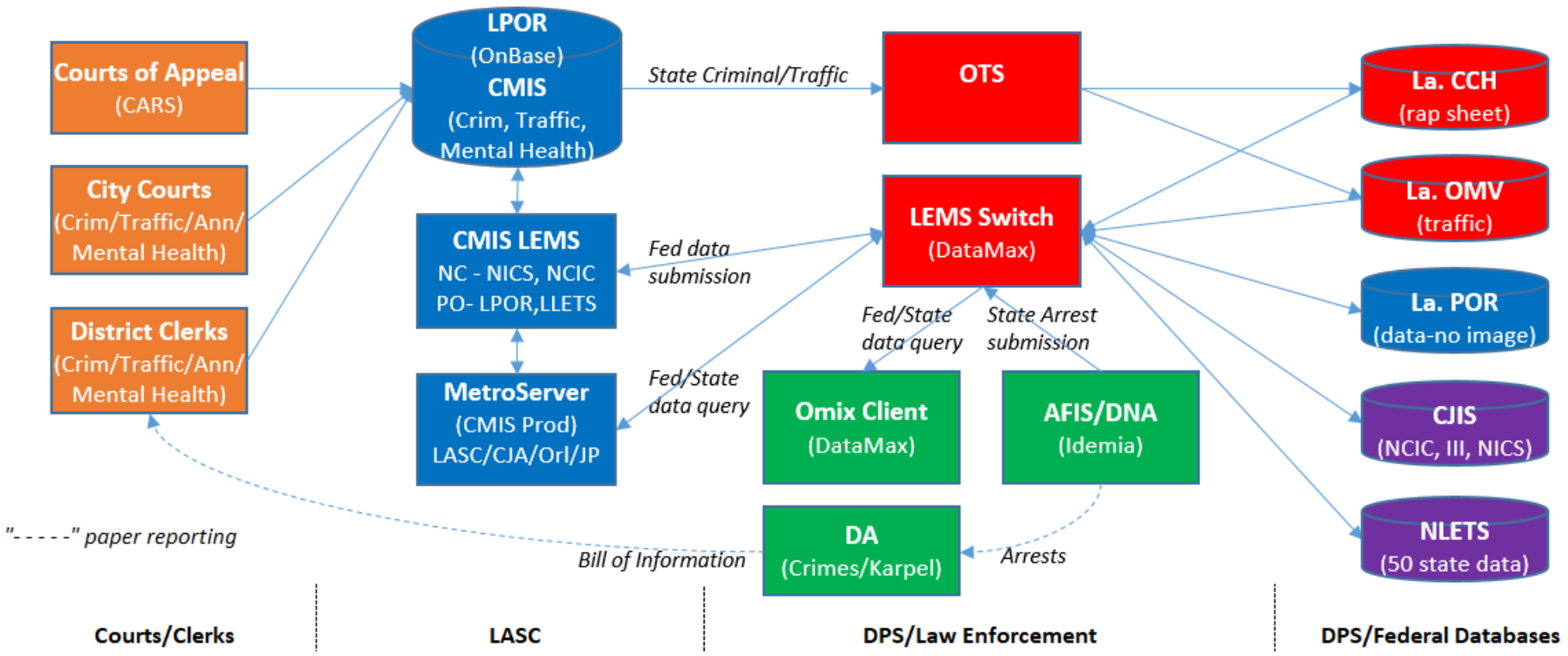
ICJIS Overview and Status

Russell Cortazzo, Jr., J.D.
CMIS Manager
Louisiana Supreme Court
rcortazzo@lasc.org



Louisiana Integrated Criminal Justice Information System (ICJIS)

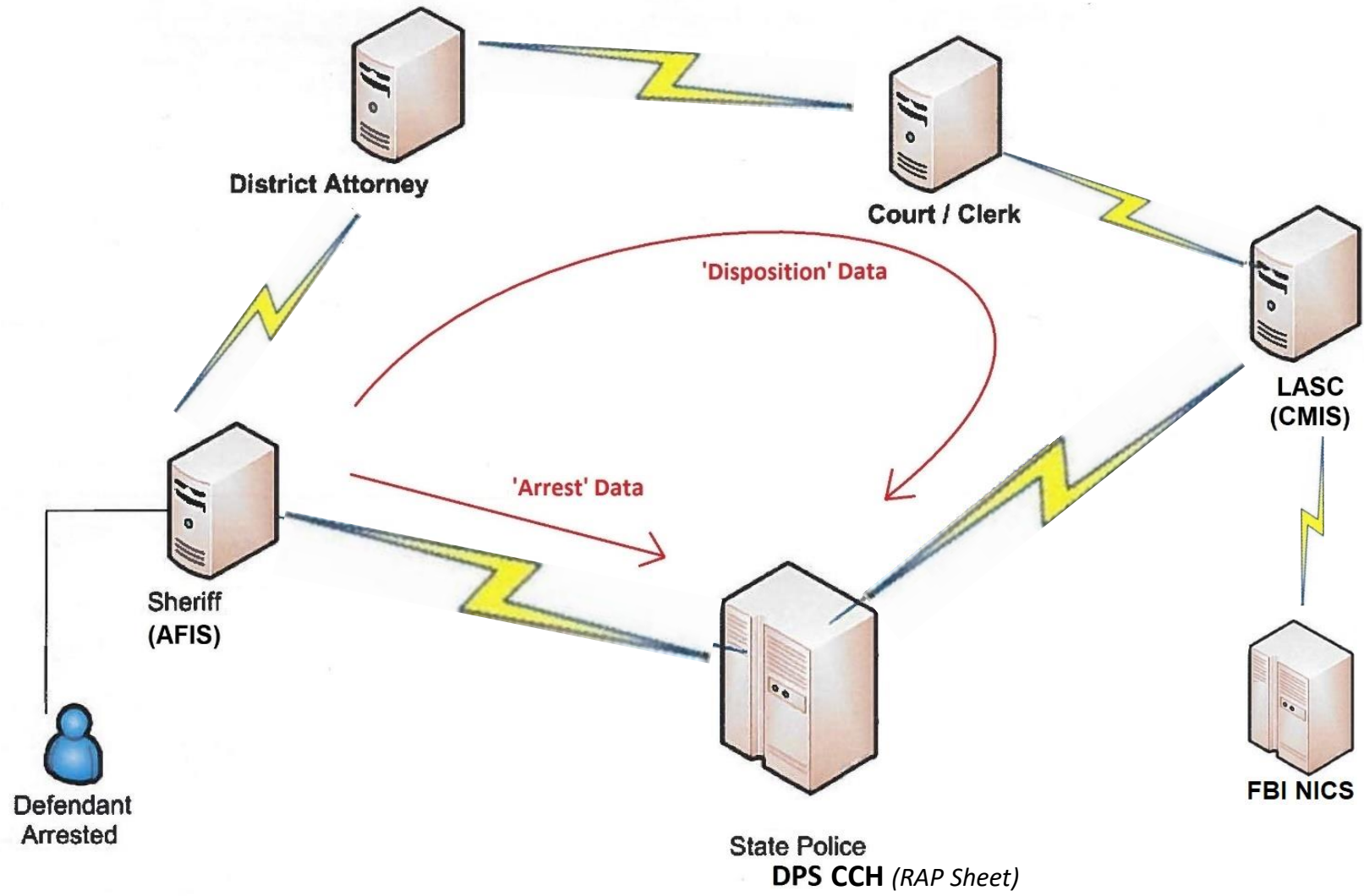
ICJIS - Connectivity (*partial*)





Louisiana Integrated Criminal Justice Information System (ICJIS)

ICJIS (*Disposition Data Flow*)





Louisiana Integrated Criminal Justice Information System (ICJIS)

ICJIS Policy Board

- R.S. 15:1228.1 Purposes

The purpose of the policy board is to assist the agencies involved in the operations of the individual systems by facilitating the development of the Integrated Criminal Justice Information System (ICJIS), providing for common standards which ensure communications among systems, and providing a common forum for the discussion of issues effecting the agencies involved.

- R.S. 15:1228.3 Membership

- Chief Justice LASC (Chair)
- Governor's Office
- Senate
- House of Representatives
- Attorney General
- DPS – Corrections
- DPS – State Police
- DPS – Office of Juvenile Justice
- LDJA
- LDAA
- LCCA
- LSA
- CPA
- LCLE



Louisiana Integrated Criminal Justice Information System (ICJIS)

Reporting Requirements

- R.S. 13:753 - Reporting of information to Louisiana Supreme Court for NICS database; possession of a firearm

Reports of qualifying convictions, adjudications or orders prohibiting firearm possession must be made to the Louisiana Supreme Court, in a manner and form as directed by the Court, within 10 business days of the event.

- R.S. 15:597 - Disposition reporting

“A disposition report of all arrests shall be submitted to the bureau within thirty days following the termination of a case by the entity responsible for the termination.”

- R.S. 32:393 - Persons charged with traffic violations; ...

CDL violation dispositions must be reported to OMV within 10 days.
Non-CDL violation dispositions must be reported to OMV within 30 days.



Louisiana Integrated Criminal Justice Information System (ICJIS)

ICJIS Data Uses

- Law Enforcement Officers

- Cross database querying between local, state and federal resources
- Access to statewide dispositions through LaCCH.
- Identify illegal purchase or possession of firearms.

- Judges and Prosecutors

- Access to statewide indictments and dispositions useful for bail hearings, sentencing hearings and habitual offender screening.

- Clerks of Court

- Satisfies reporting requirements to DPS and OMV.
- Fewer data inquiries from FBI NICS, LEO and LASC.
- Electronic records will match paper records.

- Public Service

- Background checks for licensing lawyers, medical, social workers, teachers, etc.



Louisiana Integrated Criminal Justice Information System (ICJIS)

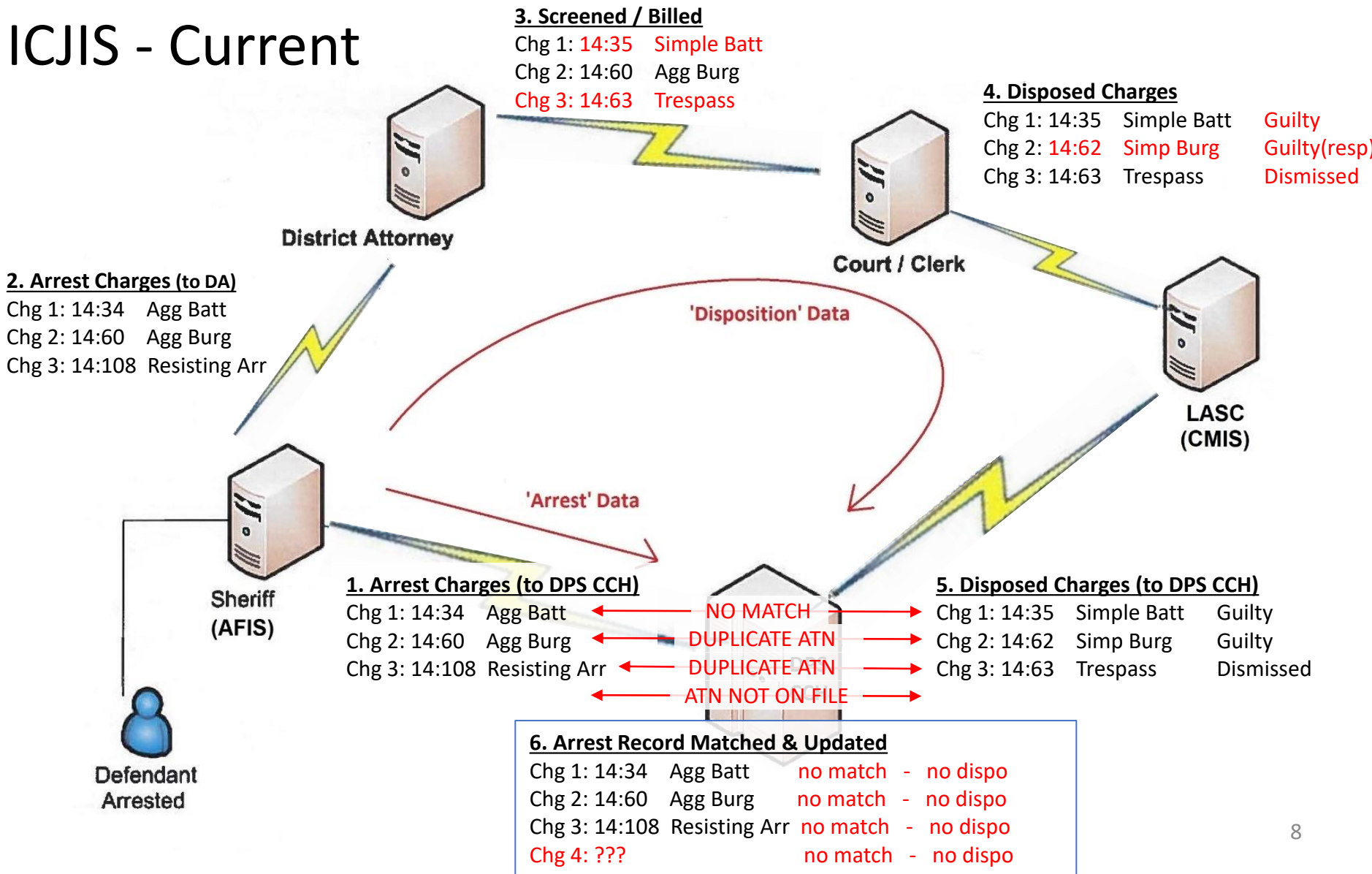
ICJIS Overview and Status

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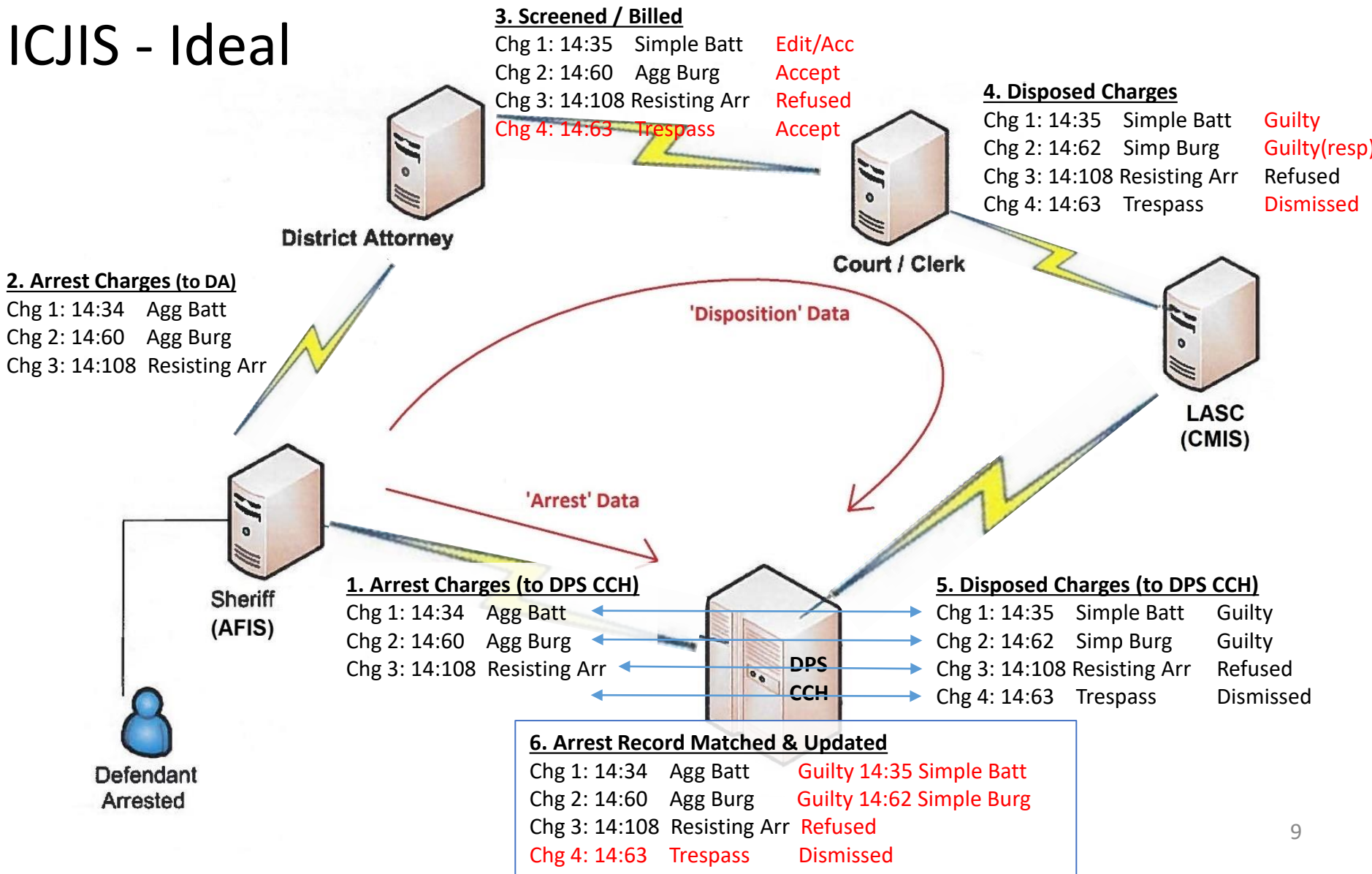
ICJIS - Current





Louisiana Integrated Criminal Justice Information System (ICJIS)

ICJIS - Ideal





Louisiana Integrated Criminal Justice Information System (ICJIS)

Criminal Data Flow (LACCH)

ARREST DATE: 03/29/2003	LID: 01151069
AGENCY: ORLEANS, LA CRIMINAL SO (LA0360000)	AFIS ATN: 360030304717
NAME: ██████████	
CHARGE 1	COUNTS 1
R.S. MUN PURP 271MCS 54-441 RESIST/OBSTRUCT OFFICR	
CHARGE 2	COUNTS 1
R.S. MUN PURP ATTACH MUN ATTACHMENT-MUNICIPAL	

ARREST DATE: 05/18/2004	LID: 00000000
AGENCY: BOGALUSA, LA PD (LA0590100)	CCH ATN: 33622533
NAME: ██████████	
CHARGE 1	COUNTS 1
R.S. MUN PURP SEC 18-27 DRIVING WHILE INTOXICATED	

ARREST DATE: 07/05/2005	LID: 00046936
AGENCY: SLIDELL, LA PD (LA0520200)	AFIS ATN: 520210501629
NAME: ██████████	
CHARGE 1	COUNTS 1
R.S. 14:34 AGGRAV. BATTERY W/DANGEROUS WEAPON	
CHARGE 2	COUNTS 1
R.S. 14:103 DISTURBING THE PEACE	

ARREST DATE: 05/18/2008	LID: 00852918
AGENCY: WEST MONROE, LA PD (LA0370200)	AFIS ATN: LBOIB0852918
NAME: ██████████	
CHARGE 1	COUNTS 1
R.S. 14:98(MISD) OPERATING A VEHICLE WHILE INTOXICATED	

RAP sheet
with no
Dispositions





Louisiana Integrated Criminal Justice Information System (ICJIS)

NICS

- National Instant Criminal Background Check System
 - Federal Program allowing electronic/phone checks prior to transfer
 - Federal Database of individuals prohibited from possessing firearms
 - LASC CMIS is Louisiana's POC for submission/correction/cancellation





Louisiana Integrated Criminal Justice Information System (ICJIS)

NICS - Checks

Record gun sales checks in 2019, NICS at all-time high: FBI

by Paul Bedard | January 06, 2020 09:36 AM



FBI gun background checks, linked closely to weapons sales, recorded the second-highest month ever in December, propelling 2019's count to the most since the National Instant Criminal Background Check System began in 1998.

The agency said Monday morning that it recorded 28,369,750 background checks in 2019, a 3% jump over the last record set in 2016.



Louisiana Integrated Criminal Justice Information System (ICJIS)

NICS - Checks

FBI never completes hundreds of thousands of gun checks

Posted Dec 3, 2019 11:54 AM

Updated Dec. 4, 1:33 p.m. | The FBI never completes hundreds of thousands of gun background checks each year because of a deadline that requires it to purge them from its computers, despite a report that raised alarms about the practice in 2015.

“Based on this data, it would be illogical to argue that Americans are more safe today than they were in 2015,” said W. Mullins McLeod Jr., who represents several families of Charleston victims. The families are suing the federal government over what they say was FBI negligence that allowed shooter Dylann Roof to buy a gun despite a previous drug arrest that should have prohibited him.

The first big deadline is three business days. After that, the dealer can sell the gun without a completed background check, though many large retailers choose not to. This deadline is how Roof got his gun. Last year, 276,000 background checks took longer than three business days. In at least 3,960 of those cases, the FBI later determined that the buyer couldn't legally own a gun and asked the Bureau of Alcohol, Tobacco, Firearms and Explosives to retrieve the weapon.



Louisiana Integrated Criminal Justice Information System (ICJIS)

NICS - Checks

4th Cir says feds can be sued for failure to respond to 3-day delay (Charleston - Roof)

<https://sites.law.duke.edu/secondthoughts/2019/09/09/fourth-circuit-says-victims-can-sue-feds-for-background-check-failures/>

Air Force ordered to pay \$230 million for failure to report assault prohibitor

<https://www.texastribune.org/2022/02/07/sutherland-springs-shooting-air-force/>

Ohio Attorney General sued for failing to report prohibitors

<https://columbusunderground.com/columbus-dayton-sue-ohio-ag-for-dangerous-failure-in-gun-background-check-system-ocj1/>

FBI sued for willful failure to process NICS denials appeal

Daniel A. Umbert et al. v. United States; Civil Action No. 18-cv-1336 (TSC)

Gaps in reporting, mental health privacy, grants available yet unused

<https://www.pbs.org/newshour/nation/gun-background-check-system-riddled-with-flaws>



Louisiana Integrated Criminal Justice Information System (ICJIS)

NICS - Checks by State 2019

Bottom 3

- Hawaii (13k), Rhode Island, Vermont – 0.05% of total each
- (New Hampshire – 0.5% of total)

Louisiana

- 282k checks in 2019 -1% of total
- (Similar to Mississippi and Arkansas)

Top 3-6

- Texas (1.5 mil), California, Indiana, Florida – 5% of total each
- (Pennsylvania, Utah, Alabama, Ohio and Tennessee follow)

Top 2

- Illinois (4.9 mil.), Kentucky (4.1 mil.) – 17% and 15% each!



Louisiana Integrated Criminal Justice Information System (ICJIS)

Criminal Data Entry – Specialty Courts

- La. R.S. 13:5305 - Drug Court
 - "...without entering a judgment of guilt and with the consent of such person, defer proceedings and place him on probation..."
 - Allows the court to 'continue' the case until either the defendant completes the program and charge is 'dismissed', or he fails the program and clerk deletes the disposition and court sets for trial.
- La. R.S. 13:5356 – Behavioral Health Court
 - If pleading guilty is prerequisite to acceptance into program.
 - Treat like a 893/894 deferred disposition.



Louisiana Integrated Criminal Justice Information System (ICJIS)

Criminal Data Entry - CCH Disposition Manual Creation

- If there is no existing arrest in CCH¹, the disposition can only be updated manually via the Clerk and DPS B of I.

- 1. Gather the defendant's demographics (full name, dob, race, sex), date of arrest, booking charge, fingerprint card² and disposition information (minutes).
- 2. Send this data using any of the following methods:
 - a) By Email to our dedicated disposition email, CCH@la.gov .
 - b) By Fax at 225-925-7005 to the attention of the LACCH section.
 - c) By Mail to
Louisiana State Police
Bureau of Criminal Identification
7919 Independence Blvd
Box A-6
Baton Rouge, LA 70806

Note 1: There is no CCH arrest record or electronic fingerprint is defendant is not booked on an AFIS machine. Most common in City Courts and indictments.

Note 2: Fingerprint card can be ink or electronic.



Louisiana Integrated Criminal Justice Information System (ICJIS)

Traffic - DWI Probation

1) At sentencing. The defendant's 894 plea is accepted.

Disposition: "94" (C.Cr.P. 894 suspension of sentence; misdemeanor probation)

2) The defendant satisfactorily completes probation and the judge grants a motion to set aside the guilty conviction.

Disposition: "GD" (guilty disposed; DWI guilty violation set aside as per C.Cr.P. 894; probation complete)



Louisiana Integrated Criminal Justice Information System (ICJIS)

Traffic - Driver Improvement

1) At sentencing.

Disposition: NONE (wait until the driver presents a satisfactory certificate of completion from an authorized driver improvement class)

2) Upon completion of driver improvement, i.e., the defendant satisfactorily completes a driver improvement course and presents a certificate of completion from an authorized driver improvement class.

- a) Disposition: "G" (guilty).
- b) OMV conviction code: 237
- c) Violation date: The date that the course was completed.
- d) Conviction date: The date that the course was completed.



Louisiana Integrated Criminal Justice Information System (ICJIS)

Traffic - Failure to Appear (1)

- 1) A defendant fails to pay or appear in court for a traffic citation.
 - a) Disposition: “08” (paid receipt required).
 - b) Conviction date: The court date.
 - c) OMV original violation code: The OMV translation for whatever the Revised Statute or local ordinance violation was, (e.g., “009” for speeding).
 - d) OMV conviction violation code: “47” (R.S. 32:57.1, Failure to honor written promise to appear).

- 2) The defendant appears in court to remedy a driver license suspension issued by OMV.
 - a) Disposition: “42” (paid receipt on file).
 - b) Conviction date: The court date.
 - c) OMV original violation code: The OMV translation for whatever the Revised Statute or local ordinance violation was, (e.g., “009” for speeding).
 - d) OMV conviction violation code: “47” (R.S. 32:57.1, Failure to honor written promise to appear).



Louisiana Integrated Criminal Justice Information System (ICJIS)

Traffic - Failure to Appear (2)

3) The defendant appears in court to remedy a driver license suspension issued by OMV, and all fines/fees are resolved, and a judgment is issued.

- a) Disposition: Whatever the judgment is (e.g., “G”, “PG”, “NC”).
- b) Conviction date: The date that the case was disposed.
- c) OMV original violation code: The OMV translation for whatever the Revised Statute or local ordinance violation was, (e.g., “009” for speeding).
- d) OMV conviction violation code: The OMV translation for whatever the Revised Statute or local ordinance conviction was, (e.g., “009” for speeding).



Louisiana Integrated Criminal Justice Information System (ICJIS)

Uniform Commitment Order (UCO)

2022 Instruction Change

Section E. REFERRALS TO DPS&C

...

5. Comments: This space is intended for any additional instructions/recommendations and sentencing enhancements from the judge that are relative to the offender's incarceration. *Particularly, where a judge intends to impose lifetime supervision post release, this should be noted in the E5 comment section.*

C.Cr.P. Art. 892. After commitment to DOC

- Sheriff provides - Post-Sentence Statement
- Clerk provides - Indictment & UCO

Notes

- Auto-Generation and Print Available
- Minutes not required, nor desired by DOC
- Only approved form and is not going away

State of Louisiana Uniform Sentencing Commitment Order (One order per Docket)						
Judicial District:			Court Section:		Docket Number:	
Parish of Commitment:						
A. DEFENDANT/CASE IDENTIFIERS						
Name of Defendant: ⁽¹⁾				DOB: ⁽²⁾ (MM/DD/YYYY)		
State ID Number (SID) ⁽³⁾				Race: ⁽⁴⁾		Sex: ⁽⁵⁾
B. SENTENCE						
Select: ⁽¹⁾ <input type="checkbox"/> Original <input type="checkbox"/> Amended <input type="checkbox"/> Revocation <input type="checkbox"/> Habitual (Docket # _____; Charge _____)						
Charges: (Revised Statute & Crime) ⁽²⁾	Number of Counts ⁽³⁾	Verdict/ G Plea/ Nolo/NP ⁽⁴⁾	Modifiers ⁽⁵⁾	Total Sentence Length ⁽⁶⁾ YRS/MONTHS/DAYS	Amount of Time in DPS&C Custody ⁽⁷⁾ YRS/MONTHS/DAYS	Amount of time to be served without benefit, if applicable ⁽⁸⁾
1						
2						
3						
4						
5						
C. SENTENCE/OFFENSE DATES (MM/DD/YYYY): (For each of the above numerated convictions)						
Offense Date ⁽¹⁾	Adjudication Date ⁽²⁾	Sentence Date ⁽³⁾	Adjudication as an Habitual Offender per R.S. 15:529.1 ⁽⁴⁾	Date Original Sentence Vacated ⁽⁵⁾	Revocation Date ⁽⁶⁾	
1						
2						
3						
4						
5						
D. SENTENCE CONDITIONS: (Check all that apply)						
<input type="checkbox"/> YES <input type="checkbox"/> NO		This sentence shall be concurrent with any or every sentence the offender is now serving. ⁽¹⁾				
If no to D.1, then		Docket Number(s)		Parish(es), Judicial District(s) of Docket Number(s)		
<input type="checkbox"/> Concurrent with: ⁽²⁾						
<input type="checkbox"/> Consecutive to: ⁽³⁾						
<input type="checkbox"/> Under the provision of C.Cr.P. Art. 880, defendant is given credit for time served. ⁽⁴⁾						
<input type="checkbox"/> Under the provisions of C.Cr.P. Art. 890.1, this is a waiver of mandatory minimum sentence (excludes R.S. 14:2(B) & R.S. 15:541 et seq offenses) ⁽⁵⁾						
<input type="checkbox"/> This defendant is subject to a multiple bill/habitual offender proceeding. (as per R.S. 15:529.1) ⁽⁶⁾						
<input type="checkbox"/> The defendant is sentenced in accordance with R.S. 13:5401 to participate in Reentry Court ⁽⁷⁾						
<input type="checkbox"/> The defendant is ordered to report to start serving his sentence on : _____ (MM/DD/YYYY) ⁽⁸⁾						
<input type="checkbox"/> The defendant is ordered to report to start serving a probation sentence upon conclusion of his hard labor sentence (split sentence) ⁽⁹⁾						
<input type="checkbox"/> Under the provisions of C.Cr.P. Art. 895 and R.S. 15:541, et seq, the defendant shall comply with the Sex Offender Registration statute. ⁽¹⁰⁾						
E. REFERRALS TO DPS&C (Check all that apply) (See instructions for More information on these options.)						
<input type="checkbox"/> Recommended for Substance Use Disorder Treatment Screening ⁽¹⁾ Copy by email to: mentalhealth@doc.la.gov						
<input type="checkbox"/> Recommended for Mental Health Evaluation ⁽²⁾ Copy by email to: mentalhealth@doc.la.gov						
<input type="checkbox"/> Recommended for Intensive Incarceration ⁽³⁾ Copy by email to: IntensiveIncarceration@doc.la.gov						
Comment: ⁽⁴⁾						
F. INVOLVED PARTIES (Printed Names and Addresses)						
Minute Clerk:			Court Reporter:			
Prosecutor:			Defense Attorney:			
Address:			Address:			
The above sentence, handed down in Open Court, is the order of this Court and this shall be sufficient warrant for its execution. Thus Done and Signed this ___ day of _____, 20__.						
Judge's Signature					Judge's Name and Address:	

Top of Mind: Louisiana Mental Health Association's Annual State Conference

April 25-26, 2023

8:30 a.m. - 3:30 p.m.
(both days)

Hear from top-rated speakers on current Top of Mind topics!

Register
[here](#)



Early Bird Registration: \$100

Louisiana Mental Health Association Virtual Conference

Legal Workshops (Total: 3.0 CLE)

Wednesday, April 26, 2023

9:30 – 10:30 AM
(1.0 CLE)

Stages of the Criminal Justice Process and the Impact on Mental Illness

Richard Bourke, Louisiana Capital Assistance Center
Barksdale Hortenstine, Orleans Public Defenders
Dr. J. Brad McConville, Tulane University School of Medicine

More than half of those incarcerated in the United States have mental health issues and those with mental health histories tend to have higher recidivism rates, serve longer sentences and have more expensive medical needs than those without. In this session, the presenters will provide a high-level overview of how the different stages of the criminal justice system can impact someone with mental health needs. This overview will be an introduction to legal workshops that follow, which will discuss programs and projects that move people with serious mental illness away from the criminal justice system and connect them with services.

10:30 – 11:30 AM
(1.0 CLE)

Justice System and Behavioral Health Programs That Are Leading Change

Hon. Steve Leifman, Eleventh Judicial Circuit Court of Florida

Miami-Dade County Judge Steve Leifman, one of the nation's foremost authorities on the criminalization of mental illness, will discuss the high rates of arresting, prosecuting, and incarcerating the mentally ill in the U.S. and how to reform the criminal justice system. He is a national leader in solving the complex and costly problem of people with untreated mental illnesses involved in the criminal justice system. In 2000, he launched a pioneering initiative in Miami-Dade County called the Eleventh Judicial Circuit Criminal Mental Health Project, which steers people with mental illnesses who do not pose significant threats to public safety away from the criminal justice system and into community-based treatment. He also started a Crisis Intervention Team program in Miami-Dade which teaches law enforcement officials to recognize the signs and symptoms of mental illness, how to de-escalate potentially dangerous situations, and where to take individuals in crisis rather than arresting them.

11:30 – 12:30 PM
(1.0 CLE)

Louisiana Community-Based Behavioral Health Treatment through Assisted Outpatient Treatment Courts

Hon. Kern Reese, Orleans Civil District Court;
Janet Hays, Healing Minds NOLA
Terrance Prout, Bradley Murchison

The Louisiana Assisted Outpatient Treatment Program is a civil specialty court program to facilitate the delivery of community-based behavioral health treatment to individuals with serious mental illness. Individuals receiving AOT services participate in a civil court process. The Honorable Kern A. Reese will provide an overview of the AOT program operated in the Orleans Civil District Court, its history, and the relevant statutes. Janet Hays will discuss the interdisciplinary approach adopted by the program and the importance of outreach/coordination among various service providers. Attorney Terrance Prout will share his work as a lawyer representing litigants that go before Judge Reese's AOT court.

SPEAKER BIOS
(In order of Appearance)

Richard Bourke is the director of the LCAC. He graduated from the Melbourne University School of Law in Australia where he also gained a Bachelor of Arts, majoring in Psychology and Criminology. Richard came to New Orleans to volunteer and then worked at the LCAC after pursuing a successful career as a criminal barrister in Australia. In 2007, Richard was awarded the Sam Dalton Capital Defense Award by the Louisiana Association of Criminal Defense Lawyers. Before his legal career, Richard worked as a youth counselor and social worker with adolescent victims of physical and sexual abuse. Richard is licensed in Louisiana, Texas, federal court, and the United States Supreme Court and is certified as lead capital trial, appellate, and post-conviction counsel.

Barksdale Hortenstine, Jr. is an attorney, mental health advocate and the Director of the Mental Health Unit with the Orleans Public Defenders. His primary drive focuses on the intersection of the criminal legal system and understanding of mental health issues within our communities. The first of its kind, the Mental Health Unit works to increase the quality of representation and available treatments for poor people. As a public defender, Barksdale represents and advocates for hundreds of New Orleanians each year, seeking to humanize and bear witness to the daily injustices of the criminal legal system. He is a graduate of Emory University Law School and went to LSU for his undergraduate degree. He lives in New Orleans with his much smarter wife and two daughters.

Dr. J. Brad McConville received his medical degree from University of Iowa Roy J. and Lucille A. Carver College of Medicine in 2005. He is board-certified by the American Board of Psychiatry & Neurology. Dr. McConville performs Psychiatry and sees patients at Ochsner Medical Center. He also serves as Prog. Dir. of Tulane Internal Medicine & Psychiatry Residency and Assistant Professor of Psychiatry.

Hon. Steven Leifman is the Associate Administrative Judge of the Miami-Dade County Court Criminal Division. He previously served as Special Advisor on Criminal Justice and Mental Health for the Supreme Court of Florida and currently chairs the Florida Supreme Court's Steering Committee on Problem Solving Courts. Judge Leifman is the co-chair of the American Bar Association Criminal Justice Mental Health Committee and co-chair of the Judges and Psychiatrists Leadership Initiative. He serves on the Florida Statewide Task Force on Opioid Abuse, the Florida Drug Policy Advisory Council, and the National Institute on Drug Addiction's (NIDA) Justice Community Opioid Innovation Network. Judge Leifman is a member of the Group for the Advancement of Psychiatry (GAP), a Lecturer in Psychiatry at Columbia University Vagelos College of Physicians and Surgeons and a Voluntary Assistant Professor of Psychiatry and Behavioral Sciences at the University of Miami School of Medicine. Judge Leifman was appointed to serve on the Conference of Chief Justices and Conference of State Court Administrators National Judicial Task Force to Examine State Courts' Response to Mental Illness and the Interdepartmental Serious Mental Illness Coordinating Committee (ISMICC) established by the 21st Century Cures Act.

In 2015, Judge Leifman received the William H. Rehnquist Award for Judicial Excellence. One of the nation's highest judicial honors presented by Chief Justice John G. Roberts Jr., the Rehnquist Award is presented annually to a state court judge who exemplifies judicial excellence, integrity, fairness, and professional ethics. Judge Leifman is also the first recipient to receive the Florida Supreme Court Chief Justice Award for Judicial Excellence (2015). He was named a 2016 Governing Magazine Public Official of the Year. More recently, Judge Leifman was awarded the 2020 Dade County Bar Association (DCBA) David W. Dyer Professionalism Award, the 2018 Pardes Humanitarian Prize in Mental Health, the 2019 Yale-NAMI Mental Health Advocacy Award and a 2019 Presidential Commendation by the American Psychiatric Association.

Judge Leifman has authored and published numerous articles and has been featured in many national and local television programs, radio programs, and articles regarding mental health and the criminal justice system. His most recent co-authored article was published in the Atlantic Magazine on May 30, 2022. Judge Leifman is the subject of the Documentary, The Definition of Insanity which aired nationally on PBS on April 14, 2020 - <https://doifilm.com/>

Hon. Kern A. Reese of Orleans Parish Civil District Court Division “L” has earned the reputation as a fair and temperate jurist. He is recognized for his involvement in professional organizations, as a teacher/coach, a community leader and mentor to youth and aspiring lawyers. Judge Reese is a graduate of St. Augustine High School, Pomona College in Claremont, California and Loyola University School of Law. Prior to taking the bench inspring2001,he maintained a solo law practice for 16 years.

Judge Reese has served as an Associate Adjunct Professor of Tulane University School of Law for more than two decades and at Loyola University School of Law for the past four years. Judge Reese has also served as a continuing education instructor and panelist for the Louisiana Bar Association, New Orleans Bar Association, Louisiana Association for Justice, Louisiana Association of Defense Counsel, American Board of Trial Advocates, the Louis A. Martinet Legal Society, Loyola Black Law Students Association and CLE of Louisiana, LLC. During his tenure at Loyola University School of Law, Judge Reese was recruited to coach the Trial Advocacy Team. Under his tutelage this diverse team of hopeful young lawyers won the 2007National Championship of the American Bar Association’s Criminal Trial Advocacy Competition at the John Jay School of Law in Chicago, Illinois. Judge Reese is known for his calm demeanor, patience and genuine concern for people, especially young people seeking his counsel or in need of a listening ear. During his twenty-five years as a lawyer, Judge Reese has personally mentored over100youngpeople from diverse backgrounds and cultures. His mentees have included potential high school dropouts to young practicing lawyers. He has provided young people opportunities for summer internships and clerkships in his office, often compensating them from his personal resources, when state resources were limited.

As part of his civic and community responsibility, Judge Reese has served on numerous boards and commissions including the Regional Planning Commission, Regional Transit Authority, New Orleans Industrial Development Board and Finance Authority of New Orleans, St. Frances Cabrini Parish School Board, Youth Development Association and Bancroft Park Civic Association. He is also a member of Alpha Alpha Boule, Alpha Phi Alpha Fraternity, and the Titans of Greater New Orleans. Judge Reese has distinguished himself as a “Toast Master” among family and friends. He is married to the former Dorothy “Dottie” Farmer. They are the parents of two sons, Justin and Jared.

Janet Hays is the founder of Healing Minds NOLA, a formidable advocate for those who suffer from severe mental illness in New Orleans and across the country. She works tirelessly to bring those afflicted with mental illness, their families, and other stakeholders together to find a path to more productive and humane treatments of mental illness. Janet works as a consultant with assisted outpatient treatment courts in Louisiana.

Terrance Prout is a New Orleans native attorney who has represented clients in a variety of legal matters over the last two decades. His focus has primarily been in the litigation arena and that of solving problems for his clients. His experience in casualty litigation includes asbestos and silica-related occupational disease cases, personal injury cases, toxic tort litigation, product liability, premises liability, disability claims, and insurance defense. Prior to joining Bradley Murchison, Terrance was a solo practitioner at his own firm, Prout Law Firm, LLC. Here, he handled litigation and transactional matters for his clients. In addition to his casualty experience, Terrance provides counsel in general commercial matters, contract litigation, real estate, title work and enforcing property rights, mental health advocacy, and probate and family law matters.