

Office of the Governor
State of Louisiana

JOHN BEL EDWARDS
GOVERNOR



P.O. Box 94004
BATON ROUGE, LOUISIANA 70804-9004
(225) 342-7015
GOV.LA.GOV

May 27, 2019

VIA HAND DELIVERY

Honorable Taylor F. Barras
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 11 of the 2019 Regular Session

Dear Speaker Barras:

Please be advised that I have vetoed House Bill 11 of the 2019 Regular Session. This bill authorizes the release of a seventeen-year-old taken into custody for the commission of a misdemeanor-grade delinquent act upon the issuance of a summons or counsel and release of the child, without notice to the child's parents, upon the child's written promise to appear in court.

Currently, if a peace officer or probation officer has probable cause to believe that a child has committed a delinquent act, the officer has the following two options: (1) counsel and release the child to the care of his parents upon their written promise to bring the child to court at such time as may be fixed by the court; (2) promptly escort the child to the appropriate facility in accordance with Article 815 of the Children's Code.

The third option proposed by House Bill 11 is flawed. Seventeen-year olds are deemed to be children and minors under state law and lack the capacity to enter into contract or written promise to appear. La. Ch. Code Arts. 116(3), 116(4), 804(1)(a), La. Civ. Code Art. 1918. Under this new scenario, parents would never know that their child has had contact with the juvenile justice system. Parents should be provided notice and given the opportunity to participate in each step of the juvenile justice system process when their child has committed a delinquent act. House Bill 11 relieves parents of this important responsibility without their knowledge or consent to do so.

Sincerely,

A handwritten signature in blue ink that reads "John Bel Edwards".

John Bel Edwards
Governor

Rec'd in
~~ADOPTED BY THE HOUSE~~

JB

MAY 28 2019

ALFRED W. SPEER
Clerk of the House

cc: Honorable John Alario
Louisiana Senate President