

1 WHEREAS, a felony conviction has certain lifetime impacts on housing, including
2 public housing, and some convictions may result in immediate eviction for a person and,
3 potentially, their entire family; and

4 WHEREAS, a person sentenced to a prison term should know if and when they are
5 parole eligible, and should be informed of the terms and conditions of probation, including
6 opportunities for early termination and a clearly defined sanction process for violations; and

7 WHEREAS, Voice of the Experienced (VOTE) is a Louisiana membership
8 organization by and for persons who are directly impacted by the criminal legal system,
9 including incarcerated persons and their family members, persons under community
10 supervision, and persons living with the lifetime impacts of criminal convictions.

11 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
12 urge and request Voice of the Experienced to study the breadth and depth of information
13 provided to defendants prior to entering a guilty plea in the Louisiana criminal legal system.

14 BE IT FURTHER RESOLVED that Voice of the Experienced develop a best
15 practices guidance that satisfies a knowing and intelligent waiver of rights, with regard to
16 the full scope of punishments, exclusions, and other consequences under the laws and
17 policies of Louisiana.

18 BE IT FURTHER RESOLVED that, in this regard, Voice of the Experienced may
19 work with and receive information from various stakeholders in the criminal legal system,
20 including but not limited to representatives of the Louisiana Clerks of Court Association, the
21 Louisiana District Judges Association, the Louisiana Public Defender Board, the Louisiana
22 District Attorneys Association, the office of motor vehicles of the Department of Public
23 Safety and Corrections, the secretary of state, and local public housing authorities.

24 BE IT FURTHER RESOLVED that Voice of the Experienced may also study
25 relevant case law and national practices to better understand other approaches of ensuring
26 knowing and intelligent waivers of rights prior to entering a guilty plea in a court of law.

27 BE IT FURTHER RESOLVED that Voice of the Experienced report its findings to
28 the Louisiana Legislature no later than February 1, 2020.

29 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to Voice
30 of the Experienced.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 109 Reengrossed

2019 Regular Session

Carpenter

Requests Voice of the Experienced to study the collateral consequences of a criminal conviction in La. and the extent to which defendants are notified of such consequences prior to entering a guilty plea, and to report its findings to the legislature no later than Feb. 1, 2020.

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Specify that Voice of the Experienced report its findings by Feb. 1, 2020.