

SENATE CONCURRENT RESOLUTION NO. 45

BY SENATOR ABRAHAM AND REPRESENTATIVE KNOX

A CONCURRENT RESOLUTION

To create and provide for the Task Force on Sentencing for Second Degree Murder for persons who could have been charged as an accessory.

WHEREAS, prisoners serving a life sentence make up the largest population of prisoners in Louisiana state prisons; and

WHEREAS, Louisiana is one of the few remaining states that requires a life sentence for second degree murder; and

WHEREAS, some observers have noted that a sentence of life without the possibility of parole for second degree murder committed in the course of a felony, but without the intent to kill or inflict harm, merits further study.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby establish and provide for the Task Force on Sentencing for Second Degree Murder for persons who could have been charged as an accessory, to study potential sentencing changes to second degree murder and to propose recommendations, together with specific proposals for legislation, if the task force deems it necessary or appropriate, by written report to the legislature and to the David R. Poynter Legislative Research Library as required by R.S. 24:771 and 772, no later than February 1, 2024.

BE IT FURTHER RESOLVED that the task force shall consist of the following members:

- (1) A senator from the Senate Committee on Judiciary C, appointed by the chairman.
- (2) A representative from the House of Representatives Committee on Administration of Criminal Justice, appointed by the chairman.
- (3) A district judge, appointed by the Louisiana District Judges Association.
- (4) The executive director of the Louisiana District Attorneys Association, or his designee.

(5) A public defender who has tried second degree murder cases, appointed by the state public defender.

(6) A representative of the Department of Public Safety and Corrections, office of adult services, designated by the secretary.

(7) A member of the Louisiana Parole Project, appointed by the executive director.

(8) A professor from the Louisiana State University Paul M. Hebert Law Center, appointed by the dean.

(9) A professor from the Southern University Law Center, appointed by the dean.

(10) An attorney from the office of the attorney general, appointed by the attorney general.

BE IT FURTHER RESOLVED that each designating authority shall submit the names of designees to the task force to the chairman of the Senate Committee on Judiciary C no later than July 1, 2023.

BE IT FURTHER RESOLVED that the task force shall convene for its first meeting no later than September 1, 2023, at the call of the chairman of the Senate Committee on Judiciary C, and at the first meeting the members shall elect a chairman and other officers as the task force may deem appropriate.

BE IT FURTHER RESOLVED that the task force shall receive staff support from the Senate and may receive additional assistance from one or more of the entities from which the task force membership is designated or appointed.

BE IT FURTHER RESOLVED that a majority of the task force shall constitute a quorum for the transaction of business and all official actions of the task force shall require the affirmative vote of a majority of the members.

BE IT FURTHER RESOLVED that the members of the task force shall serve without compensation except per diem or expenses reimbursement to which they may be individually entitled as members of their constituent organizations.

BE IT FURTHER RESOLVED that the task force shall terminate on the date of the submission of its report, if any, or on February 1, 2024, whichever occurs first.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Louisiana District Judges Association, the Louisiana District Attorneys Association, the state

public defender, the attorney general, the Department of Public Safety and Corrections, the Louisiana Parole Project, Louisiana State University Paul M. Hebert Law Center, and the Southern University Law Center.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES