SPRING/SUMMER, 2019 Legislative Issue

This was a hard fought Session, thanks to everyone coming together as a TEAM, we were able to get a couple of great things done as read this newsletter. The session started with going on the defense to protect the persons convicted of sex offenses by Rep. Coussan who filed HB527, we were able to kill that in Committee. Thanks to some great testimony from the VOTE staff, myself and others in the “Blue Shirts.” LA CURE has gotten several letters inquiring as to the First Step Act and how it might impact sentences in Louisiana, this only applies to Federal cases.

I wanted to share something I learned about the high cost for people growing old in prison, these figures are absolutely astounding, what it is costing us as taxpayers:

**Taxpayers foot the bill for increased costs as incarcerated people grow older.**

- It costs two to three times as much to incarcerate someone over the age of 55 than a younger person.[1]
- The longer people stay in prison and the older they get, the more it costs the state and taxpayers to house and treat them. Prisons must provide health care to incarcerated individuals, ranging from blood pressure medicine, to dialysis and insulin, to cancer treatments.
- As of 2017, more than 1,500 people had spent more than 30 years in Louisiana prisons. It costs at almost $32 million each year to incarcerate them under the average cost to incarcerate someone in a Louisiana prison. This does not even factor in the increased costs caused by age and medical care.
- With the most conservative estimates, taxpayers would save more than $11 million dollars each year.[2]
- The State is being sued for its poor healthcare at its prisons. If these lawsuits are successful, then Louisiana taxpayers will need to pay much more to adequately care for people in prison. One of these lawsuits has already gone to trial and is only waiting for a ruling.[3]
- The money Louisiana could save could go to education, transportation, economic development or back into taxpayers’ pockets.

[2] Assuming that 33% of 1,534 people who have served more than 30 years obtain parole, and that costs are static at the state average cost.

My Experience at VOTE, which stands for Voice Of The Experience

By: Antoine Harding

On June 30th I went with a friend to a community event. There were multiple groups involved to make an impact in people’s lives. One group was the VOTE organization. They help impact people by registering ex-offenders to vote. We met a leader named Jennifer Harding.

In school I’ve learned voting is important because it changes the world by having good leaders that are making the right decision and being grateful towards our country. I am 15 years old, and in the fall, I will be going to high school. When I get to be 18 I will start voting for the greater rights of our country and to benefit myself, my family, friends and my city, state, and country.

Ex-offenders should have a second chance in life is to show how much better they have become. They want people to know that they are an improved person, more generous, and that they will not commit more crimes. They are truly sorry for their mistakes. Voting will give these people the chance to make their society better.

I’m glad to have had a chance to attend this inspiring event. It made me understand the importance of laws and voting and second chances.

Remember, the ongoing eTC Campaign (Equitable Telephone Charges) is working to improve and cut the high cost of the prison telephone systems. You can help by letting your Public Service Commissioner or local legislator know how unfair it is for you to have pay such high costs to talk with your loved one.

CURE is a membership organization of families of prisoners, prisoners, former prisoners and other concerned citizens. CURE’s two goals are to use prisons only for those who need to be in them and for those who need to be in them, to provide them all the rehabilitative opportunities they need to turn their lives around.
For Those of Us Who Can’t: Jay Jackson, LA CURE Sec.

The best way to know what our state legislators are doing is to get involved. We’ve all heard that before. Go to the state capitol during the session, attend committee meetings, grab a card, speak, etc. That’s great for those who are able to do that, but what about those of us who can’t? How can we make a difference?

The first thing you need to do is find out who represents you in the state Senate and in the state House of Representatives. That’s easy to do (if you have access to a computer)...just go to the Louisiana Legislature’s website (www.legis.la.gov) and click on the link you’ll see on the left side of the page “Who are my Legislators?” YOUR representative and YOUR senator are two key people you need to know! They represent you, so make a note of their contact information...phone number, email address, mailing address, etc.

Now, spend a few spare moments and explore the complete legislative website and the different links it has...both for the House and for the Senate. It’s a great website and very easy to navigate (“user friendly”) and it will amaze you with the amount of information it provides!

Now this is where the fun begins! With the information provided by the legislative website, start creating your own contact distribution lists in your Google or Outlook platforms...or whatever you’re using. It takes a little time to set up, but once you do that...you’re in business! You can set up your groups by committees as well as by each chamber (House & Senate).

Now, from the comforts of your own home, at any hour of the day or night, you can communicate with your elected officials thru email! But that’s the key...you NEED to communicate to your elected body of legislators about how you feel! EVERY email counts! We can’t all go to the state capitol during the legislative session...but we CAN ALL communicate with our elected officials! If they don’t hear from you and me...shame on us!

As soon as the next elections are over and the new, updated information is posted on the legislative website, start building your contact distribution list...AND GET READY TO START USING IT!

Kelly Garrett, Vice Pres. LA CURE: Bills Bills Bills...

Now that the 2019 session is complete, a special thank you goes out to those that have continued the fight with us. Your countless calls, emails, attendance, and discussions with friends and family members helped us move the needle a little bit further with our reform efforts. We thank you as we continue on...

Here is a brief recap of what happened...

ACT 386 (HB 518) addresses the habitual offender statue where certain people across Louisiana accused of a second, non-violent offense will not face the leverage of an enhanced sentence under the habitual offender statue. Although the final bill is not as strong as the original, it is a small miracle that found its way to the governor’s desk. (Effective 8/1/2019)

ACT 158 (HB 351) will allow defendants to receive greater, more in-depth information about their rights and collateral consequences for plea deals.(Effective 8/1/2019) A resolution was also passed that will allow VOTE to lead a study relative to pleas and collateral consequences (HCR 109).

HR 219 was birthed from HB 65 that would have extend eligibility for jury service to the formerly incarcerated. Although the bill didn’t pass, a house resolution to study best practices for eligibility and qualification did.

ACT 410 (SB 146) will limit the incarceration of victims of certain offenses. (Effective 6/11/2019)

ACT 1 (HB 9 & HB 98) streamlines both House Bills in regards to fines and fees of expungements and will permit expungement without waiting 10 years for those eligible for first offender pardons. (Effective 8/1/2019)

ACT 115 (HB 226), brought by The Innocence Project New Orleans will allow expert testimony in eyewitness accounts. Eyewitness mis-identification is the leading cause of wrongful convictions and now jurors will be allowed to hear the inherent pitfalls of memory and mistaken ID’s from experts in trial. (Effective 6/5/2019)

ACT 156 (HB 275) will extend the application for post-conviction DNA testing. (Effective 8/1/2019)

With many other CJR bills passed, derailed, and failed, another successful session is in the books and while there are still many people in our prisons and too many bad policies remain, we took some steps this year. Thank you again for fighting with us and in advance for remaining by our side as we continue to pursue criminal justice reform in Louisiana!
Father Dan Krutz: Advocacy 101

Developing a relationship is the key to a successful advocacy experience. Successful doesn’t always mean you get your way on your bill or issue. The focus on relationships is something I have heard in workshops and teachings about advocacy, but the teaching rang true for me during this recent session. I was more involved and able to be at the Capitol on a regular basis more than in the past. Of course, there are those who are there every day. John Burkhart, Checo Yancey, and Will Harrell (and others) seemed to be camping out at the Capitol throughout the session. They were always there, and I am grateful for their commitment on criminal justice issues as we continue to move forward on reform. As Checo Yancey and others said, “No Retreat!”

When I said relationships are the key to a successful advocacy experience, I mean a number of different things. First, it is so important, essential really, to get to know better the people with whom you are doing advocacy. Sometimes that means accepting the fact that each of us is different and that we have our individual views about the issues, some being more important than others, not all of us necessarily always agreeing on which bills are the most important. Honest conversation with give and take in relationships with our peers is essential to further group advocacy and the legislative process. Often, because of the pace of the day at the Capitol, communication by email and text have been relied upon for addressing issues and, hopefully, “getting on the same page.”

Toward the latter part of the session I was seated in the House with several acquaintances, including Checo who introduced me to some of the Legislators who came to the rail separating the Floor from the Gallery. By the way, I didn’t know that those in the gallery aren’t permitted to stand when a Legislator approaches them from the Floor. I’m still learning Capitol etiquette, and it’s something to keep in mind so that your day runs more smoothly. During that afternoon, quite by accident, I was able to speak with two Representatives and personally share my opinions with each of them. One of the House Representatives has a daughter who lives down the street from me, which brought an extended conversation about his family.

In a different way, a paid professional lobbyist continuously cultivates relationships with Legislators. It was eye opening for me to learn how much influence, for good, a lobbyist can provide for advocates from nonprofits and faith-based communities. Bills that I thought were dead were somehow magically resurrected because of a partnership between a lobbyist and a Legislator. We often hear negative things about lobbyists and, perhaps in some cases justifiably, but my experience during this session made me realize what a force for good a lobbyist can be!

Additionally, I believe we need to recruit, to educate and to mobilize people of faith in advocacy for social and economic justice. I don’t believe the Devil is in the legislation, but there are some who seem to lack compassion, empathy or understanding of the difficulties faced by the poor and marginalized; and consequently, when it comes to legislation to improve the criminal justice system, they are definitely detractors. Despite these detractors, a significant bill was passed that rights some of the wrongs regarding habitual offenders. A step forward has been made for further reforms.

This fall everyone in the Legislature is up for re-election, except in case of term limits. Some of those, like Representative Pat Smith who is running for a position in the Senate, need our support. We need to get people registered to vote and mobilize all voters to turn out on election day. Our efforts will make a difference.

A final thought about this Legislative session, if your message is for justice and you persevere, you will not be disappointed. Put on your Advocacy hat and come on down. There’s room at the Capitol for you.

John Burkhart, LPA

While it did not make the headlines of the previous two years, the 2019 Louisiana legislative session was a resounding success for criminal justice reform. Prior to session, the consensus opinion was that it would be an uphill battle considering it was an election year and lawmakers would not want to consider positive criminal justice legislation. Instead, we were able to turn a few bills into law while several more made it further than they ever had before.

One of the biggest wins was HB 518, which removed enhancement under the habitual offender statute for certain non-violent offenses. Though it was not as powerful as the initial version, it was an important victory against the district attorneys’ most powerful weapon – and will prevent hundreds of Louisianans from going to prison each year.

Our friends at the Innocence Project-New Orleans passed bills to permit expert witness testimony about false eyewitness identification and provide funding up-front to wrongfully incarcerated persons to pursue education or other life pursuits. The Louisiana Center for Children’s Rights passed a pair of bills to help keep kids out of jail. V.O.T.E. passed a bill to ensure more people are apprised of collateral consequences when they take plea bargains. Among several other victories, district attorneys will no longer be able to jail victims to force testimony and people with prior convictions are now eligible for consideration to receive funding from the Crime Victims Reparations Board.

These are just a handful of the accomplishments. Not mentioned above are the bills that did not pass, including a couple which would have stripped voting rights recently restored to some formerly incarcerated people and another which would have severely diluted the Sixth Amendment right to counsel. There are also a few which did not make it to the governor’s desk, but still made it further than before, including death penalty abolition and parole eligibility for some lifers.

We did not accomplish everything, but we defended what we have gained and shown the world that Louisiana can do better. There is more work to be done and we are in a better position to do that work following this great session.
Let's Keep the Ball Rolling

CURE – Citizens United for Rehabilitation of Errants
is a nationwide grassroots organization dedicated to reducing crime through reform of the criminal justice system.

Renew Your Membership for 2019!
Please fill in and mail this application to:
Louisiana CURE, P.O. Box 181
Baton Rouge, LA 70821

Name:_____________________________________
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Phone:_________________ Fax:_________________
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_______Prisoner $2.50 _______Basic $10.00 _______Family $20.00
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If your address is changed, you must let us know, all returned newsletters will not be re-mailed, postage is too high, we will delete you from our mailing list.

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