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PRESS RELEASE: NOVEMBER 27, 2023

DA WILLIAMS REINSTITUTES BOND FORFEITURES AFTER MCC IDENTIFIES 1,285 FELONY FUGITIVES

The Metropolitan Crime Commission has documented that the Orleans Parish District Attorney's Office failed to initiate bond forfeiture proceedings for felony defendants released on bond who did not appear in court.

The MCC identified 1,285 fugitives who were arrested for felonies in Orleans Parish, had charges accepted for prosecution, and then had warrants issued for their arrests when they failed to appear for court. However, there is nothing in the record to indicate that law enforcement has actively pursued the arrest warrants issued for these felony offenders.

MCC President Rafael Goyeneche stated, "This is a system failure. The police arrest, prosecutors accept charges, and the defendant just walks away. No one is looking for these offenders."

Outcomes of all Orleans Parish felony arrests from 2018 through 2022 as of October 1, 2023 were examined to identify fugitives, which include 407 charged with violent felonies, 126 charged with weapons felonies, and 19 with pending cases for failure to register as a sex offender. Specific violent charges pending against fugitives include 5 attempted murder, 17 rape or violent sex offense, 56 robbery, 121 battery or assault, and 164 felony domestic violence.

Louisiana Code of Criminal Procedure Article 331 et seq. is a tool to compel felony defendants free on bond to appear in court that authorizes the forfeiture of a bond if a defendant fails to return to court. The bond forfeiture process must be initiated by the Orleans Parish DA's Office.

Criminal justice system closures due to the COVID-19 pandemic limited the ability of prosecutors to begin the bond forfeiture process, but those constrictions were lifted in early 2022. 518 of the fugitives went at large in 2022 or later.

The MCC recently provided the Orleans Parish DA's Office with the list of fugitives and requested initiation of bond forfeiture proceedings in cases for which the process remains legally viable. The DA's Office has now begun bond forfeiture proceedings on the cases that are still permitted in accordance with Louisiana law. The MCC commends the DA's Office for reinstating bond forfeiture proceedings.

Orleans Parish District Attorney Jason Williams issued the following statement, "The OPDA team sends its gratitude to the Metropolitan Crime Commission for their proactive collaboration in identifying bond absconders. These are individuals who were granted release on bail and later attempted to evade responsibility for their actions by failing to return to court.

The MCC's request prompted our office to conduct a thorough review that realized viable forfeitures for several dozen defendants. We've now initiated proceedings on eligible cases, ensuring accountability for fugitive defendants and upholding the judicial process."

The MCC further recommends expanded electronic monitoring of repeat offenders and suspects released on bond for violent and weapons felonies. Broader use of electronic monitoring should substantially reduce the rate of bail absconders who fail to appear in court.