

2017 First Extraordinary Session

SENATE RESOLUTION NO. 3

BY SENATORS CLAITOR, HEWITT AND MIZELL

SENATE. Provides relative to the expulsion of a member of the Senate.

1 A RESOLUTION

2 To expel Senator Troy E. Brown from the Louisiana Senate and to declare the office of
3 Senator from the Second Senatorial District to be vacant.

4 WHEREAS, Senator Troy E. Brown was arrested and booked in New Orleans,
5 Louisiana, on or about November 28, 2015, on suspicion of domestic abuse battery; and

6 WHEREAS, Senator Brown was accused of punching a girlfriend after an argument
7 in a New Orleans hotel; and

8 WHEREAS, on September 14, 2016, Senator Brown pled no contest to simple
9 battery for this charge; and

10 WHEREAS, a plea of *nolo contendere*, or no contest, has a similar effect as pleading
11 guilty to the crime; and

12 WHEREAS, Senator Brown was again arrested on or about July 17, 2016, and
13 charged with domestic abuse battery; and

14 WHEREAS, Senator Brown was accused of biting his spouse during an argument at
15 his Geismar home; and

16 WHEREAS, on January 11, 2017, Senator Brown again pled no contest to the
17 July 17, 2016, charge of domestic abuse battery, marking his second plea within a
18 four-month time period; and

1 WHEREAS, the National Coalition Against Domestic Violence defines domestic
2 violence as the willful intimidation, physical assault, battery, sexual assault, and/or other
3 abusive behavior as part of a systematic pattern of power and control perpetrated by one
4 intimate partner against another. It includes physical violence, sexual violence, threats, and
5 emotional abuse; and

6 WHEREAS, according to the National Coalition Against Domestic Violence,
7 domestic violence is one of the most chronically underreported crimes. Only twenty-five
8 percent of all physical assaults, twenty percent of all rapes, and fifty percent of all stalking
9 incidents perpetrated against females by their partners are reported to the police. For the
10 small number of cases that do get reported, on average, a woman will be assaulted by her
11 partner or ex-partner thirty-five times before reporting it to the police; and

12 WHEREAS, Louisiana ranks fourth in the nation for the rate of women murdered by
13 men; and

14 WHEREAS, the 2010 Summary Report for the National Center for Injury Prevention
15 and Control indicated that over five thousand adult women per year living in Louisiana will
16 experience domestic violence; and

17 WHEREAS, according to information published by the Louisiana Coalition Against
18 Domestic Violence, Louisiana leads the nation in domestic homicides and has done so since
19 1997 with at least one domestic homicide in every parish of the state in 2009, and with a
20 total of seventy-one deaths statewide in 2011; and

21 WHEREAS, domestic violence assails an individual's right to dignity, security, and
22 humanity; inflicts physical, emotional, and financial injury on its victims; and exists in every
23 segment of our population; and

24 WHEREAS, in 2015, the Louisiana Legislature enacted a compendium of legislation
25 aimed at strengthening its laws against domestic violence; and

26 WHEREAS, the members of the Senate do not condone domestic abuse violence in
27 any form and wherever it may occur, and hereby determine that the commission of domestic
28 violence by a member of the Senate violates his sworn oath of office to "support the
29 constitution and laws of this state", represents disorderly conduct, and is misconduct in
30 office of the highest form; and

1 WHEREAS, all public officers have a duty to obey the law and Senator Brown's
2 actions have displayed a blatant disregard for the law which has breached the public's trust;
3 and

4 WHEREAS, Senator Brown's disregard for the law in committing domestic abuse
5 violence brings dishonor and disrepute to the Senate; and

6 WHEREAS, Article III, Section 7 of the Constitution of Louisiana provides that each
7 house of the legislature may punish its members for disorderly conduct or contempt, and
8 may expel a member with concurrence of two-thirds of its elected members; and

9 WHEREAS, Chapter 17 of the Senate Rules of Order provide for the manner in
10 which a member may be expelled or subjected to disciplinary action under the authority
11 granted by the Constitution of Louisiana.

12 THEREFORE, BE IT RESOLVED by the Senate of the Legislature of the state of
13 Louisiana, two-thirds of the members thereof concurring, that Senator Troy E. Brown be,
14 and is hereby expelled, from membership in the Senate and that the office of Senator for the
15 Second Senatorial District of Louisiana be and it is hereby declared, vacant.

16 BE IT FURTHER RESOLVED that the secretary of the Senate is hereby authorized
17 and directed and without delay, to officially notify Troy E. Brown in writing of his expulsion
18 from the Senate, accompanied by a certified copy of this Resolution.

19 BE IT FURTHER RESOLVED that the president of the Senate, in compliance with
20 the provisions of R.S. 18:601 shall, within ten days after the day and hour this Senate
21 Resolution is finally adopted by the Senate, issue a proclamation stating that a vacancy exists
22 in the Second Senatorial District and order a special election to fill the vacancy, and
23 immediately notify the secretary of state of such proclamation.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Yolanda J. Dixon.

DIGEST

SR 3 Original

2017 First Extraordinary Session

Claitor

Expels Senator Troy E. Brown from the Senate of the state of Louisiana and declares a
vacancy in the Second Senatorial District.