

NINETEENTH JUDICIAL DISTRICT COURT
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA
DIVISION J, SECTION VIII

.

STATE OF LOUISIANA .
V. . DOCKET NO. 06-10-0234
MICHAEL LOUDING .

.

TUESDAY, JULY 9, 2013

SENTENCING

THE HONORABLE TRUDY M. WHITE, JUDGE PRESIDING

APPEARANCES:	FOR:
DANA J. CUMMINGS	STATE OF LOUISIANA
MARGARET E. LAGATTUTA	THE DEFENDANT
LINDSAY BLOUIN	THE DEFENDANT

REPORTED BY: APRIL M. LOMBARDINO, CCR #98080

TUESDAY, JULY 9, 2013

(DEFENDANT IS PRESENT IN COURT WITH COUNSEL)

the court: THE COURT IS READY TO SENTENCE. BUT, PRIOR TO THAT, I'D LIKE TO MAKE SOME REMARKS. A GRAND JURY INDICTMENT IS REQUIRED BEFORE THE DISTRICT ATTORNEY CAN PROSECUTE AN OFFENDER FOR FIRST-DEGREE MURDER, AN OFFENSE PUNISHABLE BY DEATH OR LIFE IMPRISONMENT. ON JANUARY 3, 2010, THE EAST BATON ROUGE PARISH GRAND JURY INDICTED YOU, MICHAEL LOUDING, FOR THE FIRST-DEGREE MURDER OF TERRY BOYD. BECAUSE YOU WERE 17 YEARS OLD AT THE TIME OF THE MURDER, THE DISTRICT ATTORNEY COULD NOT AND DID NOT ASK FOR THE DEATH PENALTY.

THE TRIAL, WHICH INCLUDED THE SELECTION OF JURORS, BEGAN ON APRIL 15, 2013. EACH JUROR WAS GIVEN A JURY QUESTIONNAIRE TO COMPLETE. THE FIRST ORDER OF BUSINESS WAS TO CONDUCT A PUBLICITY VOIR DIRE OF POTENTIAL JURORS. THIS WAS DONE TO DETERMINE IF POTENTIAL JURORS WHO HAD HEARD ABOUT YOUR CASE IN THE NEWS MEDIA WOULD BE ABLE TO SET ASIDE WHAT THEY HAD HEARD. THIS WAS FOLLOWED BY A GENERAL VOIR DIRE.

AFTER EIGHT DAYS OF JURY SELECTION AND

TRIAL, WHICH INCLUDED A SATURDAY SESSION, THE MATTER WAS SUBMITTED TO THE JURORS FOR DELIBERATION. ON APRIL 26, 2013, A TWELVE-PERSON JURY OF YOUR PEERS RETURNED A UNANIMOUS VERDICT OF GUILTY OF THE FIRST-DEGREE MURDER OF TERRY BOYD.

THE CASE WAS PROSECUTED BY ASSISTANT DISTRICT ATTORNEY, DANA J. CUMMINGS; DEFENDED BY ATTORNEY MARGARET LAGATTUTA; AND PRESIDED BY JUDGE TRUDY M. WHITE. THE JURORS TOOK THEIR OATH AND CIVIC RESPONSIBILITY SERIOUSLY. THEY REFLECTED FOR FIVE HOURS ON THE TESTIMONY AND OVER 275 ITEMS OF PHYSICAL EVIDENCE THAT WAS INTRODUCED INTO EVIDENCE BEFORE REACHING A VERDICT.

TERRY BOYD WAS NO SAINT. IN FACT, HE HAD JUST BEEN RELEASED FROM THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS A LITTLE MORE THAN TWO WEEKS AT THE TIME HE WAS MURDERED. THE TESTIMONY REVEALED THAT THERE WAS SOME TYPE OF STREET BEEF BETWEEN TORRENCE LIL BOOSIE HATCH AND TERRY BOYD.

BEFORE I SENTENCE YOU FOR THE MURDER OF TERRY BOYD, I WOULD LIKE TO GIVE A HISTORICAL BACKGROUND ON RAPPING. I AM TAKING THE TIME TO DO THIS BECAUSE I BELIEVE

THAT YOU AND MANY PEOPLE WHO OBSERVED YOUR TRIAL MISUNDERSTAND THE SIGNIFICANCE OF THIS ART FORM. I ALSO INTEND TO ACKNOWLEDGE AND PUT INTO PERSPECTIVE A NUMBER OF THINGS THAT I OBSERVED DURING THE TRIAL FOR THE VERY SAME REASON.

FIRST I WILL TAKE JUDICIAL NOTICE OF SEVERAL FACTS: THE ORIGIN OF RAP CAN BE TRACED BACK TO THE CONTINENT OF AFRICA WHERE THE ELDERS OR GRIOTS OF WEST AFRICA WOULD TELL STORIES RHYTHMICALLY OVER THE SOUNDS OF DRUMS. FAST FORWARD TO THE LATE 1960'S WHEN HUBERT GEROLD BROWN, CHAIRMAN OF THE STUDENT NONVIOLET COORDINATING COMMITTEE OR SNCC, WAS ACTIVE IN THE CIVIL RIGHTS AND BLACK POWER MOVEMENTS.

SOUTH BATON ROUGE BORN HUBERT, KNOWN FOR THE ELOQUENT MANNER IN WHICH HE ARTICULATED HIS MESSAGE, LATER CHANGED HIS NAME TO H. RAP BROWN. RAP BROWN USED HIS BRILLIANT ORATORY SKILLS TO ARTICULATE A VISION OF POSITIVE CHANGE FOR THE BLACK COMMUNITY. HE REGULARLY APPEARED AT RALLIES AND WAS OFTEN INTERVIEWED BY LOCAL AND NATIONAL REPORTERS.

RAP BROWN AS ONE OF THE PIONEERS FOR WHAT I REFER TO AS MODERN RAP OR HIP-HOP. NOW KNOWN AS JAMIL ABDULLAH AL-AMIN, HE WAS

SENTENCE IN 2002 BY THE STATE OF GEORGIA TO A LIFE SENTENCE FOR THE DEATH OF A DEPUTY SHERIFF.

I ALSO TAKE JUDICIAL NOTICE OF THE FACT THAT THE GENESIS OF MODERN RAP BEGAN WITH THE SPOKEN WORD OR POETRY RECITED TO MUSIC. THE LAST POETS WAS ONE OF THE EARLY INFLUENCES ON HIP-HOP MUSIC. THIS GROUP OF TECHNICIANS CONSISTED OF POETS AND MUSICIANS WITH A POLITICALLY-CHARGED MESSAGE.

GIL SCOTT-HERON'S LYRICS FOCUSED ON THE SOCIAL AND POLITICAL ISSUES OF THE TIME. HE DELIVERED HIS MESSAGE IN BOTH RAPPING AND MELISMATIC VOCAL STYLES. POET NIKKI GIOVANNI OFTEN ADDED MUSIC TO HER MESSAGE, WHICH WAS OFTEN INSPIRED BY AFRICAN-AMERICAN ACTIVISTS AND ARTISTS.

THEN THERE WAS EDWIN STARR'S VIETNAM WAR PROTEST SONG, WAR. BY 1979, SUGARHILL GANG'S RAPPER'S DELIGHT WAS ON THE SCENE, WHICH WAS THE FIRST RAP SONG TO HIT BILLBOARD TOP 40.

THERE IS A CULTURE OF VIOLENCE IN OUR SOCIETY INVOLVING BLACK YOUTH AND YOUNG ADULTS. I LOOK AROUND AND WONDER JUST WHERE THE LURE OF VIOLENCE IS COMING FROM. IS IT BECAUSE OUR CHILDREN HAVE GROWN UP WITH

VIOLENT VIDEO GAMES, VIOLENT MOVIES, AND VIOLENCE ON TELEVISION, BEGINNING WITH CARTOONS?

I LEARNED A LOT ABOUT GANGSTA RAP, A SUBGENRE OF HIP-HOP MUSIC DURING THE TRIAL. GANGSTA RAP PURPORTS TO REFLECT URBAN CRIME AND THE VIOLENT LIFESTYLES OF INNER-CITY YOUTH. I DISCOVERED THROUGH THE COURSE OF THE TRIAL THAT THE LYRICS IN GANGSTA RAP VARIES FROM ACCURATE REFLECTIONS TO FICTIONALIZED ACCOUNTS OF ARTISTS' LIFE EXPERIENCES.

ONE OF LIL BOOSIE'S SONGS, 187, WAS PLAYED DURING THE TRIAL. IT WAS DIFFICULT FOR ME TO LISTEN TO THE SONG BECAUSE THE LYRICS CONTAINED VIOLENT THEMES, PROFANITY, AND NEGATIVE IMAGERY. YOUR TRIAL HAS CONVINCED THIS COURT THAT GANGSTA RAP IS A CONTRIBUTING FACTOR TO THE EXPRESSION OF VIOLENCE IN OUR COMMUNITIES.

GANGSTA RAPPERS HAVE A PUBLIC PERSONA THAT IS OFTEN MANUFACTURED AND MANIPULATED FOR VARIOUS REASONS. GANGSTA RAPPERS HAVE BOUGHT INTO THE BELIEF THAT A NEGATIVE IMAGE IS NECESSARY TO ELICIT HIGH VOLUME SALES OF CD'S, DVD'S, AND MP3'S.

GENERALLY SPEAKING, RAPPERS WHO ARE SEEN

AS SOFT OR CARING ARE NOT AS SUCCESSFUL. THERE WAS TESTIMONY DURING THE TRIAL THAT TORRENCE LIL BOOSIE HATCH HAD A CARING SIDE. IN FACT, HE SPONSORED FOOD GIVEAWAYS AND DID OTHER POSITIVE THINGS IN THE COMMUNITY. BUT THERE WAS ALSO EVIDENCE THAT LIL BOOSIE WAS THE FINANCIER OF SEVERAL MURDERS IN THE BATON ROUGE AREA.

GANGSTA RAP LYRICS ARE TYPICALLY KNOWN FOR PROMOTING CRIME, VIOLENCE, PROFANITY, MISOGYNY, SEX OUTSIDE OF MARRIAGE, STREET GANGS, MURDER, DRUG DEALING, AND MATERIALISM. BY CONTRAST, THE LYRICAL CONTENT OF OLD SCHOOL MODERN RAP TYPICALLY WAS SOCIAL OR POLITICAL ISSUES. BECAUSE OF THE COMMERCIAL SUCCESS OF SOME GANGSTA RAP PERFORMERS, MANY INNER-CITY CHILDREN WANT TO BE RAPPERS.

MANY RESPONSIBLE ADULTS IN OUR COMMUNITY ARE DESPERATELY LOOKING FOR WAYS TO TELL THESE PRIVATE CORPORATIONS AND PERFORMERS THAT THEY ARE DISRESPECTING AND PRODUCING HARMFUL EFFECTS IN OUR COMMUNITIES WITH THE NEGATIVE GANGSTA RAP LYRICS. EVEN THOUGH MANY RAPPERS NOW HAVE THEIR OWN LABELS, GANGSTA RAPPERS STILL NEED CORPORATIONS WHO HAVE NO STAKE IN OUR COMMUNITY TO DISTRIBUTE

THEIR MUSIC IN OUR COMMUNITY. IT IS SHAMEFUL THAT TOO MANY OF THE PROMOTERS OF GANGSTA RAP HAVE CHOSEN A BUSINESS MODEL THAT EXPRESSES A HIGHER VALUE IN ACQUIRING PRIVATE FINANCIAL PROFIT OVER THE PRESERVATION AND IMPROVEMENT OF THE QUALITY OF HUMAN LIFE.

THE PRODUCERS AND PROMOTERS OF GANGSTA RAP HAVE COLDLY CALCULATED THE POTENTIAL PROFITS AVAILABLE FROM POSITIVE AND NEGATIVE MESSAGES. THEY HAVE CONCLUDED THAT ANTI-SOCIAL MESSAGES ARE MORE PROFITABLE THAN PRO-SOCIAL MESSAGES. THIS IS A BUSINESS THAT IS DESIGNED TO PROFIT FROM HARMING ITS CONSUMERS AND OUR SOCIETY.

MICHAEL, THE REALITY IS THAT ONCE YOU DROPPED OUT OF SCHOOL, IT WAS MORE IMPORTANT FOR YOU TO BE POPULAR THAN SMART. WHEN YOU ASSOCIATED YOURSELF WITH LIL BOOSIE, YOUR PIPELINE TO PRISON WAS JUST ONE WRONG TURN AWAY. YOU WERE ATTRACTED TO WHAT YOU PERCEIVED TO BE EASY MONEY. BOOSIE INFECTED YOU TO SUCH AN EXTENT THAT YOU CONTINUED TO FORFEIT YOUR ASSIGNMENT TO GET AN EDUCATION. WITH NO FAMILY MEMBERS THAT YOU LET GUIDE YOU, WITH NO POSITIVE ROLE MODELS THAT YOU CHOOSE TO EMULATE, WITH NO POSITIVE MENTORS

WHO REDIRECTED YOUR PATH, YOU WERE HEADED FOR PRISON.

MICHAEL, I WONDER HOW A 17 YEAR OLD FROM SOUTH BATON ROUGE COULD POSSIBLY DO SUCH EVIL THINGS. DID THE LURE OF FAST MONEY AND THE VIOLENT STREETS DRAW YOU IN? WERE YOU LOOKING FOR LOVE AND ATTENTION IN THE WRONG PLACE? DID THE EDUCATIONAL SYSTEM FAIL YOU? DID POVERTY PLAY ANY ROLE? WERE YOU ANESTHETIZED BY VIOLENT GAMES THAT YOU MAY HAVE PLAYED OVER AND OVER ON PLAYSTATIONS OR XBOX 360?

WHAT EVER HAPPENED TO YOUR CONSCIOUS, MICHAEL? AT ANY TIME DID YOU GET THAT FEELING IN YOUR GUT WHERE YOU STOPPED AND WONDERED IF YOU WERE DOING SOMETHING WRONG? WHEN YOU LEFT BOOSIE'S RESIDENCE, AFTER HE ANNOUNCED THAT HE WOULD PAY \$25,000 FOR A HIT ON TERRY BOYD, WHY WERE YOU SO ANXIOUS TO COLLECT YOUR WEAPON AND LEAVE FOR ANOTHER PAY DAY?

IN A TREACHEROUS MANNER YOU AIMED AND SHOT YOUR TAURUS 9-MILLIMETER THROUGH THE WINDOW, PIERCING TERRY BOYD'S HEAD WITH TWO BULLETS. YOU KNEW THAT THERE WAS NO RESTART BUTTON. YOU KNEW THAT TERRY BOYD WOULD NOT COME BACK TO LIFE LIKE THOSE WHO DIE ON

VIDEO GAMES. YOU KNEW THAT HE HAD TO DIE FOR YOU TO GET PAID. YOU PUT YOUR MIND, BODY, AND WEAPON IN THE SERVICE OF BOOSIE'S DESIRES TO AVENGE SOME PERCEIVED SLIGHT OF TERRY BOYD. YOU WERE HIRED TO CARRY OUT A MURDER MISSION.

MICHAEL, IN YOUR RECORDED STATEMENT, YOU DESCRIBED TO DETECTIVE HOWARD THE DETAILS OF HOW YOU KILLED TERRY BOYD. AT TRIAL, THE GETAWAY DRIVER CORROBORATED THE DETAILS THAT YOU DESCRIBED IN YOUR RECORDED STATEMENT.

DETECTIVE HOWARD ASKED YOU A LOT OF QUESTIONS ABOUT OTHER CASES WHERE YOU WERE EITHER THE SHOOTER OR AN ACCOMPLICE. IN THOSE CASES, YOU DESCRIBED IN DETAIL THINGS THAT HAD NOT BEEN REPORTED IN THE MEDIA.

I WAS FASCINATED BY YOUR EXTENSIVE KNOWLEDGE OF TYPES OF WEAPONS. IN FACT, YOU EVEN CORRECTED DETECTIVE HOWARD AND TOLD HIM THAT A 380 HI-POINT IS A REVOLVER AND THE MANUFACTURER DOES NOT MAKE MAGAZINES FOR HI-POINTS.

MICHAEL, WHAT SATISFACTION DID YOU GET WHEN THE TELEVISION CONFIRMED THAT THE PERSON YOU SHOT AND KILLED WAS, IN FACT, TERRY BOYD? WHEN YOU RECEIVED \$2800 OF THE \$25,000 FROM BOOSIE FOR THE MURDER, HOW DID

IT MAKE YOU FEEL? DID YOU BELIEVE YOU HAD
GOTTEN PAID OR DID YOU BELIEVE YOU HAD
GOTTEN RIPPED OFF? THE EVIDENCE SHOWED THAT
YOU ENJOYED KILLING. WAS THAT MOMENTARY
ENJOYMENT WORTH THE PRICE THAT YOU MUST NOW
PAY? DO YOU REALLY THINK THAT CHILDREN WANT
TO BE LIKE MARLO MIKE?

AT TRIAL, THE PROSECUTOR INTRODUCED INTO
EVIDENCE A PHOTOGRAPH OF A TATTOO THAT WAS
ETCHED ON YOUR CHEST TWO WEEKS AFTER TERRY
BOYD'S MURDER AT BOOSIE'S RESIDENCE ON
POMPEY. THE TATTOO READ, YO BOOSIE, AND
UNDERNEATH WAS A PICTURE OF AN AK-47,
FOLLOWED BY THE WORDS, WHO'S NEXT?

AS I SAID BEFORE, YOU TOOK PLEASURE IN
KILLING. THIS PLEASURE IS NOW MEMORIALIZED
ON YOUR CHEST. THE TATTOO THAT WAS
DISPLAYED IN COURT AS STATE'S EXHIBIT 104
WILL REMAIN AFFIXED TO YOUR CHEST WHILE YOU
SERVE YOUR SENTENCE. YOU WERE THE PREDATOR
FROM 70802.

WHEN THE BOOSIE BUG BIT YOU, BOOSIE GOT
ALL OF YOUR ATTENTION. YOU HAD ALREADY
FORFEITED YOUR INTEREST IN FORMAL EDUCATION,
SO YOU WENT WILLINGLY. IN TIME, THE BUG
ESCALATED TO A DISEASE. THE BOOSIE DISEASE
CONTAMINATED YOU AND SEVERAL OTHERS IN OUR

COMMUNITY. THIS DISEASE CONTRIBUTED TO A NUMBER OF MURDERS IN THE BATON ROUGE AREA.

YOU KNEW RIGHT FROM WRONG. WHEN YOU DID NOT SAY NO TO BOOSIE, THIS DISEASE TOOK HOLD IN YOUR SOUL. WHEN IT TOOK HOLD, YOU WERE DESTINED TO NEVER BE ANYTHING BUT A KLEENEX TISSUE, SOMETHING FOR BOOSIE TO USE AND THROW AWAY.

YOU HAD THE STREET SAVVY TO TELL BOOSIE NO, BUT YOU DID NOT. INSTEAD YOU BOUGHT INTO THE GANGSTA LIFESTYLE AND ALLOWED ALL OF YOUR DREAMS TO BE BOUGHT WITH A PITTANCE OF MONEY, FOOLISH ACCOLADES, AND PROMISES OF POWER. YOU CAUGHT BOOSIE ITUS, AND THAT DISEASE WOULD BECOME YOUR DEMISE.

ONCE YOU COMMITTED TO THE GANGSTA LIFESTYLE AND WAS INVOLVED IN YOUR FIRST MURDER, THERE WAS NO VACCINATION OR ANTIBIOTIC AVAILABLE TO PREVENT FURTHER DESTRUCTION. BOOSIE ENTICED YOU, THE KLEENEX TISSUE, OVER AND OVER IN OTHER HOMICIDES. IT IS NOTHING NICE WHEN A PERSON REUSES A KLEENEX TISSUE.

YOU TESTIFIED IN BOOSIE'S TRIAL THAT YOU LIED IN THE VIDEOTAPED STATEMENT YOU GAVE TO THE POLICE. WHEN YOU RECANTED OR RENOUNCED YOUR PREVIOUS STATEMENTS, IT CONTRIBUTED TO

BOOSIE'S ACQUITTAL FOR TERRY BOYD'S MURDER.
NOTE THAT I SAID ACQUITTAL. BOOSIE WAS NOT
FOUND NOT GUILTY.

ADRIAN PITTMAN TESTIFIED THAT HE WAS
PRESENT ON THE DAY THAT BOOSIE OFFERED
\$25,000 FOR THE HIT OF TERRY BOYD. THE
EVIDENCE SHOWED THAT ON OCTOBER 21ST, 2009,
AT 12:45 A.M. IN THE SHADOW OF DARKNESS YOU,
MICHAEL LOUDING, SHOT THROUGH A WINDOW AT
16837 VERMILLION DRIVE AND KILLED TERRY
BOYD.

THE EVIDENCE SHOWED THAT BOOSIE PAID YOU
\$2800 FOR THE COWARDLY ACT OF KILLING TERRY
BOYD. IN FACT, YOU STATED IN YOUR
VIDEOTAPED STATEMENT THAT THE \$2800 WAS PAID
ALL IN TWENTIES. ADRIAN PITTMAN
CORROBORATED YOUR INVOLVEMENT AS AN ASSASSIN
IN BOYD'S MURDER DURING YOUR TRIAL.

IN YOUR VIDEOTAPED POLICE STATEMENT,
MICHAEL, YOU ADMITTED TO BEING INVOLVED IN
THE MURDER OF CHRIS NUSSIE JACKSON ON
FEBRUARY 9, 2009. YOU ADMITTED TO BEING
INVOLVED IN THE MURDERS OF CHARLES NOKIE
MATTHEWS AND DARRYL BLEEK MILTON ON APRIL
1ST, 2010. YOU ALSO ADMITTED TO TAKING PART
IN THE MURDER OF MARCUS GANGSTA THOMAS ON
APRIL 25TH, 2009. IN EACH OF THOSE CASES,

YOU STATED IN YOUR VIDEO STATEMENT THAT BOOSIE NOT ONLY OFFERED BUT PAID MONEY FOR THE HITS.

UNDER LOUISIANA LAW, A PERSON THAT OFFERS OR PAYS SOMETHING TO MURDER SOMEONE IS AS LIABLE AS THE PERSON WHO DOES THE ACT AND CAUSES THE MURDER. IT APPEARS THAT YOUR EFFORTS TO ASSIST BOOSIE OR BOSS TO AVOID CONVICTION WAS HELPFUL TO BOOSIE BUT THOSE ACTIONS DID NOT HELP YOU AVOID CONVICTION.

WE NOW KNOW HOW MUCH YOU HELPED BOOSIE. HOWEVER, THERE ARE STILL A FEW QUESTIONS THAT REMAIN UNANSWERED, NAMELY, DO YOU BELIEVE BOOSIE HELPED YOU? DO YOU THINK THAT THE PENALTY FOR YOUR CRIME IS WORTH THE PRICE THAT BOOSIE PAID YOU TO COMMIT THIS CRIME? DID YOU CONSIDER THE COSTS OF YOUR ACTIONS BEFORE YOU ENGAGED IN THIS COURSE OF CRIMINAL CONDUCT?

WHILE BOOSIE WAS ACQUITTED OF THE MURDER OF TERRY BOYD IN HIS TRIAL, BOOSIE WAS CONVICTED IN 2011 FOR BRINGING CONTRABAND INTO A PENAL INSTITUTION. HE WAS SENTENCED TO SEVEN YEARS. I DON'T KNOW EXACTLY WHEN HE WILL BE GETTING OUT. MICHAEL, WHAT I DO KNOW IS THAT WHENEVER BOOSIE GETS OUT, YOU WILL STILL BE INCARCERATED.

JUSTICE DOUGLASS OPINED IN BRADY VERSUS MARYLAND THAT OUR SYSTEM OF JUSTICE WORKS, BUT IT IS DEEPLY FLAWED. SOCIETY WINS NOT ONLY WHEN THE GUILTY ARE CONVICTED BUT ALSO WHEN CRIMINAL TRIALS ARE FAIR.

MICHAEL, YOU ARE A CALLOUS AND COLD-BLOODED HITMAN. UNDER BOOSIE'S TUTELAGE, YOU LIVED IN THE FAST LANE OF CRIME AND VIOLENCE. IT IS A BADGE OF HONOR FOR YOU TO BE ONE OF BOOSIE'S POSSE, WHO WAS WILLING TO KILL AND ACTUALLY DID KILL.

LIKE YOU, MICHAEL, I WAS BORN AND REARED IN SOUTH BATON ROUGE. IN FACT, WHEN MY PARENTS BROUGHT ME HOME FROM THE HOSPITAL, MY FIRST RESIDENCE WAS 1054 SOUTH 16TH STREET. AS LATE AS 2008, I LIVED ON SOUTH 15TH STREET IN THIS HIGH-CRIME AREA. I HAVE A RENTAL HOUSE ON SOUTH 17TH STREET.

YOU HAVE BEEN A MAJOR CONTRIBUTOR TO THE HIGH HOMICIDE RATES IN BATON ROUGE. I WONDER IF ANYONE IS THINKING, CAN ANYTHING GOOD COME OUT OF SOUTH BATON ROUGE?

IT IS IMPORTANT THAT WE NOT DISRESPECT OUR HISTORY AND OUR KNOWLEDGE OF SELF. AS AFRICAN-AMERICANS, WE COME FROM A LONG LINE OF ANCESTORS WHO WERE ENSLAVED AND SURVIVED THE MIDDLE PASSAGE. MANY WHO SLEEP THE LONG

SLEEP SURVIVED THE JIM CROW CULTURE OF THE 40'S AND 50'S WHEN THEY WERE TOLD THAT THEY WERE INFERIOR AND WERE DENIED BASIC RIGHTS. MANY WHO SUFFERED DISCRIMINATION AND WHO LOST THEIR LIVES FIGHTING FOR THE CIVIL RIGHTS AND PRIVILEGES THAT WE ENJOY TODAY AS CITIZENS.

WE COME FROM A LONG LINE OF COMMUNITY LEADERS AND BUSINESS OWNERS FROM SOUTH BATON ROUGE WHO BORE TREMENDOUS BURDENS FOR THOSE WHO CAME AFTER THEM. THEY BELIEVED IN EXCELLENCE, HARD WORK, AND PRESERVED TO OVERCOME BARRIERS. THEY WERE ROLE MODELS FROM THE SOUTH BATON ROUGE VILLAGE WHO ENCOURAGED CHILDREN TO BETTER THEMSELVES SO THEY COULD HELP OTHERS DO THE SAME. I AM HONORED TODAY TO TAKE JUDICIAL NOTICE OF SOME OF THESE LEADERS AND ACTIVISTS.

WHEN I THINK ABOUT EDUCATORS, I THINK ABOUT DELORES SPIKES, FORMER PRESIDENT OF THE SOUTHERN UNIVERSITY SYSTEM; CHARLES KEEL, PRINCIPAL OF CAPITOL HIGH SCHOOL; SADIE KEEL, PRINCIPAL OF REDDY ELEMENTARY; THELMA TACNEAU, PRINCIPAL OF BUCHANNAN; AND TEX TURNER, PRINCIPAL OF MCKINLEY HIGH SCHOOL. THERE WERE COACHES AND EDUCATORS SUCH AS EDDIE ROBINSON, SR., ADOLPH BYRD,

E.J. MENCER, AND CARL STEWART.

THEN THERE WERE LEGAL PROFESSIONALS LIKE CHANCELLOR AND RETIRED JUDGE FREDDIE PITCHER, JUDGE JOHN MICHAEL GUIDRY, AND MYSELF, JUDGE TRUDY M. WHITE. THERE ARE ATTORNEYS SUCH AS JOHNNIE JONES, MURPHY BELL, MARTY WHITE, AND JOEL PORTER. THERE ARE CLERGY SUCH AS GARDNER C. TAYLOR, W. MARSHALL MYLES, MARY MOODY, AND DALE W. FLOWERS.

THERE WERE BUSINESS OWNERS LIKE DR. LEO S. BUTLER, DR. B.V. BARANCO, DR. VALERIAN SMITH, HORATIO THOMPSON, HARVEY HONORE, MAMA LAWLESS, AND LEONARD A. BROWN. COMMUNITY LEADERS SUCH AS JOSEPH A. DELPIT, PATRICIA HAYNES-SMITH, LORI BURGESS, ED PRATT, ANNIE SMART, EVA LEGARD, AND CLARA MAE WELLS. ARTISTS SUCH AS ACTRESS LYNN WHITFIELD; AMERICAN IDOL HOST, RANDY JACKSON; BLUES SINGER, BUDDY GUY; RAP/BLUES ARTIST, CHRIS THOMAS KING; OPERA SINGER, LENORA LAFAYETTE; AND SKINNY LEGS AND ALL, JOE TEX. THERE WERE ATHLETES SUCH AS TYRUS THOMAS, FRED HILTON, DARRYL GLASPER, POP GREEN, GLEN BIG BABY DAVIS, TOMMY GREEN, AND ETHAN MARTIN.

HAS ANYTHING GOOD COME OUT OF SOUTH BATON ROUGE? ABSOLUTELY.

WE KNOW THAT TOO MANY YOUNG MEN IN OUR COMMUNITY CONTINUE TO MAKE BAD CHOICES. WHAT IS THE DIFFERENCE BETWEEN THOSE WHO ACHIEVE AND THOSE WHO DON'T? SIMPLY STATED, EDUCATION. IN FACT, CORRECTIONAL OFFICIALS LOOK TO THE PERCENTAGE OF CHILDREN WHO NEVER MAKE IT PAST THE FOURTH GRADE READING LEVEL TO HELP GAUGE THE NUMBER OF FUTURE PRISON BEDS THAT WILL BE NEEDED.

THE COURT REVIEWED THE STATE'S SENTENCING DISCOVERY DISCLOSURES. THE DISCLOSURES INCLUDED YOUR JUVENILE RECORD AND A LETTER THAT YOU WROTE TO BOOSIE DATED APRIL 2ND, 2013. YOUR RECORD REVEALS THAT YOU LAST ATTENDED SCHOOL AT WESTDALE MIDDLE SCHOOL. YOU WERE EXPELLED IN THE SEVENTH GRADE IN JANUARY OF 2008 AFTER YOU WERE CAUGHT WITH A GUN ON CAMPUS. YOU NEVER ATTENDED HIGH SCHOOL.

TODAY, EDUCATION PLUS PARENTAL AND SOCIETAL SUPPORT IS NEEDED TO ACHIEVE SUCCESS. SOCIETAL SUPPORT INCLUDES THE SUPPORT OF OUR FAITH COMMUNITY.

LIFE IS NOT FAIR. LIFE IN PRISON IS NOT FAIR, EITHER. THERE WILL BE NO FEMALES TO PLEASURE YOU, NO CLUBBING, NO CELL PHONES, NO FIREARMS, NO YOUTUBE, NO TRIPPING WITH

JEWELRY, OR CLOTHES WITH TAGS ON IT IN PRISON. THERE WILL BE A LOT OF STRUCTURE IN PRISON.

MICHAEL, YOU WILL WORK WHILE YOU ARE IN PRISON FOR TWO CENTS AN HOUR AFTER YOU HAVE SERVED TWO YEARS. YOU WILL LIKELY WORK ON A FARM, PROBABLY ON A FORMER PLANTATION, THE SAME PLOT OF LAND THAT WAS TILLED BY SLAVES. THAT IS WHY THEY CALL IT HARD LABOR. YOU WILL NOT BE ABLE TO COME AND GO AS YOU PLEASE. YOU WILL BE COUNTED SEVERAL TIMES A DAY AND ASSIGNED A PLACE TO SLEEP. YOU WILL HAVE TO WAIT YOUR TURN TO USE THE TELEPHONE TO MAKE VERY EXPENSIVE COLLECT CALLS.

YOU WON'T HAVE A GUN TO HIDE BEHIND AND MAKE YOU FEEL POWERFUL IN PRISON. YOU WILL LEARN TO CONTROL YOUR ANGER OR HULKING AS YOUR SISTER LAKANDRA TALKED ABOUT. IF YOU FIGHT, YOU WILL PROBABLY HAVE TO FIGHT WITH YOUR HANDS OR ALIGN YOURSELF WITH FELLOW INMATES TO SURVIVE. IF YOU CHOOSE TO USE YOUR MIND, YOU MAY LEARN TO MASTER THE ART OF NEGOTIATION WITH FELLOW INMATES. IT MAY NOT BE EASY FOR YOU BECAUSE OF ALL THE PEOPLE THAT YOU HAVE HURT. THE PEOPLE THAT YOU HAVE HURT HAVE FRIENDS AND FAMILY THAT MAY TRY TO SEEK REVENGE NO MATTER WHAT

FACILITY THE AUTHORITIES PLACE YOU IN.

THE COURT TAKES JUDICIAL NOTICE OF ISTROUMA HIGH SCHOOL GRADUATE DR. IVORY A. TOLDSON, A PROFESSOR AT HOWARD UNIVERSITY, WHO AUTHORED AN ARTICLE ENTITLED, ARE THERE REALLY MORE BLACK MEN IN PRISON THAN COLLEGE? DR. TOLDSON CORRECTED THE MYTH THAT THERE ARE MORE BLACK MEN IN PRISON THAN IN COLLEGE. TOLDSON REPORTED THAT IN 2013 THERE ARE APPROXIMATELY 1.4 MILLION BLACK MEN IN COLLEGE AND ABOUT 840,000 BLACK MEN IN PRISON. WHILE THERE ARE MORE MEN IN COLLEGE TODAY, THE COURT TAKES JUDICIAL NOTICE THAT FAR TOO MANY YOUNG BLACK MEN CHOOSE A LIFE OF CRIME.

A COUPLE OF MONTHS AGO, MY PASTOR SHARED A STORY ABOUT JOSHUA WILLIAMS, A 2013 GRADUATE OF BETHUNE-COOKMAN UNIVERSITY. FOR MUCH OF WILLIAMS' LIFE, HE WAS SURROUNDED BY VIOLENCE AND CRIME. IN FACT, HIS BROTHER WAS KILLED AT 16. FOR JOSHUA WILLIAMS' FIRST THREE YEARS AT BETHUNE-COOKMAN, HE WAS HOMELESS. IT WAS ONLY AFTER HIS PLIGHT BECAME PUBLIC THAT WILLIAMS WAS ABLE TO GET A PLACE TO LIVE. REMEMBERING POVERTY, DRUG DEALERS, AND RANDOM SHOOTINGS, WILLIAMS KNEW THAT HIS GETTING AN EDUCATION WAS THE RIGHT

PATH FOR HIM. WHEN BISHOP JOHNSON MENTIONED THE HARDSHIPS THAT THIS YOUNG MAN ENDURED, I THOUGHT ABOUT YOU AND THE LIFE CHOICES THAT YOU MADE.

DEFENSE COUNSEL MARGARET LAGATTUTA STATED IN HER OPENING STATEMENT THAT YOUR CASE WAS ABOUT MONEY, DRUGS, GUNS, AND EGOS. PROSECUTOR DANA CUMMINGS REFERRED TO YOU BOTH AS A COWARD AND A COLD-BLOODED HITMAN IN HER CLOSING ARGUMENT. AFTER THE JURY VERDICT, DISTRICT ATTORNEY HILLAR MOORE, III, SAID THAT YOUR CONVICTION WAS HUGE.

ON JUNE 25, 2012, THE UNITED STATES SUPREME COURT ANNOUNCED ITS DECISION IN MILLER VERSUS ALABAMA, WHICH ALTERED THE JUVENILE SENTENCING LAW IN THE UNITED STATES. THAT COURT FOUND THAT MANDATORY LIFE WITHOUT THE OPPORTUNITY OF PAROLE WAS UNCONSTITUTIONAL FOR YOUTH UNDER THE AGE OF 18. IN COMPLIANCE WITH MILLER, THE 2013 LOUISIANA LEGISLATURE ENACTED ACT 239.

SAID LEGISLATION REQUIRES THE COURT TO CONDUCT AN INDIVIDUALIZED SENTENCING HEARING TO CONSIDER AGGRAVATING AND MITIGATING EVIDENCE PRIOR TO THE COURT PRONOUNCING ITS SENTENCE. EVEN THOUGH THE EFFECTIVE DATE OF ACT 239 IS AUGUST 1ST, 2013, THE COURT IS

HONORING THE LEGISLATIVE MANDATE TODAY, JULY 9, 2013.

ON OCTOBER 21ST -- NO, I'M NOT QUITE DONE.

ms. lagattuta: DO YOU WANT TO GIVE US A --

the court: YES, I WILL GIVE YOU A -- OKAY.

ON OCTOBER 21ST, 2009, THE DATE TERRY BOYD WAS MURDERED, MICHAEL, YOU WERE 17 YEARS AND TWO WEEKS OLD. BECAUSE OF YOUR FIRST-DEGREE MURDER CONVICTION, THE COURT MUST DETERMINE WHICH OF THE TWO POSSIBLE SENTENCES THAT YOU DESERVE: LIFE WITHOUT PAROLE OR LIFE WITH THE POSSIBILITY OF PAROLE.

I HOPE YOU UNDERSTAND THAT A LIFE SENTENCE WITHOUT PAROLE IN LOUISIANA IS NATURAL LIFE. IN OTHER WORDS, A PERSON WALKS INTO PRISON AND REMAINS IN PRISON UNTIL THAT LIFE ENDS. MANY OF THOSE PRISONERS ARE, IN FACT, BURIED IN THE PRISON CEMETERY.

AS EACH DAY PASSES, YOU WILL MARK TIME IN PRISON. HOW YOU CHOOSE TO MARK YOUR TIME WILL BE UP TO YOU. YOUR CASE, MICHAEL, IS BIGGER THAN YOU. HOW YOU LIVE OUT YOUR LIFE

SENTENCE MAY INFLUENCE JUVENILES AND YOUNG ADULTS WHO WILL OBSERVE HOW YOU LIVE YOUR LIFE. IN TIME, I TRUST THAT YOU WILL FIND REDEMPTION AND DO ALL THAT YOU CAN TO TRY TO MOTIVATE YOUNG PEOPLE IN A POSITIVE WAY. I DO NOT KNOW HOW LONG YOU WILL LIVE, BUT YOU WILL LIKELY HAVE MANY YEARS TO REFLECT ON THE LESSONS OF YOUR LIFE AND WILL HAVE AN OPPORTUNITY TO CONVEY THAT MESSAGE TO OTHERS. YOUR SELF-SERVING STATEMENT IN YOUR APRIL 2ND, 2013, LETTER TO BOOSIE ENCOURAGES ME, WHERE YOU WROTE THAT YOU STAY IN THE BIBLE.

THE COURT TAKES JUDICIAL NOTICE THAT SOME INMATES FIND REDEMPTION IN PRISON. STANLEY TOOKIE WILLIAMS, A NATIVE OF NEW ORLEANS AND FOUNDER OF THE LOS ANGELES GANG, CRIPS, RE-EXAMINED HIS LIFE CHOICES AND REPENTED FOR HIS PAST ACTIONS WHILE ON DEATH ROW. HE ATTRIBUTED HIS TRANSFORMATION TO GOD AND BEGAN SPEAKING OUT AGAINST GANG VIOLENCE. HE AUTHORED SEVERAL BOOKS AS A WAY TO REACH YOUNG PEOPLE. ONE OF THE BOOKS WAS, TOOKIE SPEAKS OUT AGAINST GANG VIOLENCE.

HOWEVER, IT IS IMPORTANT THAT YOU REALIZE THAT EVEN THOUGH TOOKIE CHANGED HIS

LIFE WHILE ON DEATH ROW, TOOKIE'S APPEAL FOR CLEMENCY OR MERCY WAS DENIED. HE WAS EXECUTED BY LETHAL INJECTION ON DECEMBER 15TH, 2005, AT SAN QUENTIN STATE PRISON.

AS YOU SERVE OUT YOUR LIFE SENTENCE, YOU WILL HAVE AN OPPORTUNITY TO EXAMINE THE CHOICES THAT YOU MADE IN YOUR SHORT LIFE. THERE IS VALUE WITH REPENTANCE. SHOULD YOU REPENT AND TRULY ACCEPT RESPONSIBILITY FOR YOUR ACTIONS, I TRUST THAT YOU WILL FIND A WAY TO MAKE A POSITIVE CONTRIBUTION TO SOCIETY. EVEN THOUGH YOU WILL BE CONFINED WITH A LIFE SENTENCE, GIVEN THE IMMORAL WAY THAT YOU HAVE LIVED YOUR LIFE UP TO NOW, I SINCERELY HOPE THAT YOUR BEST DAYS ARE AHEAD OF YOU.

IN STATE VERSUS G'QUAN BAKER, DOCKET NUMBER 8-11-898, THE DEFENSE IMploRED THE FIRST CIRCUIT TO DELAY THE SENTENCING UNTIL THE LEGISLATURE ADDRESSED HOW LOUISIANA WAS GOING TO COMPLY WITH MILLER. JUDGE DON JOHNSON ASSERTED THAT TO DELAY SENTENCING WAS TO DELAY JUSTICE. THE FIRST CIRCUIT COURT OF APPEAL IN 2013KW0024 DENIED THE MOTION TO STAY THE SENTENCING FOR BAKER WHO WAS CONVICTED OF THREE COUNTS OF SECOND-DEGREE MURDER AND ONE COUNT OF

ATTEMPTED SECOND-DEGREE MURDER. THE SENTENCING WAS RESCHEDULED AND HELD ON MAY 10, 2013, PRIOR TO THE EFFECTIVE DATE OF ACT 239. AS A RESULT OF THE FIRST CIRCUIT'S RULING IN BAKER, I FEEL VERY COMFORTABLE WITH CONDUCTING THE SENTENCING HEARING AND PRONOUNCING YOUR SENTENCE TODAY.

THE COURT HAD AN OPPORTUNITY TO REVIEW THE PRE-SENTENCE INVESTIGATION REPORT PREPARED BY PROBATION OFFICER GARRETT JACKSON. THE COURT CONSIDERED YOUR EXTENSIVE CRIMINAL HISTORY, WHICH INCLUDES YOUR JUVENILE RECORD. THE COURT HAS CONSIDERED THE EVIDENCE OFFERED TODAY.

YOUR MOTHER WAS ACTIVE AND INVOLVED WITH YOUR SIX REFERRALS TO JUVENILE COURT AND TWO ADJUDICATIONS. PROBATION OFFICER GARRETT JACKSON NOTED THAT YOU WERE GIVEN MULTIPLE OPPORTUNITIES TO BE REHABILITATED AS A JUVENILE, INCLUDING BEING PLACED ON PROBATION TWICE AND YOUR COMPLETION OF AT LEAST ONE INFORMAL ADJUSTMENT AGREEMENT. YOU HAD LIMITED SUCCESS AT REHABILITATION AS YOUR CRIMINAL ACTIVITY ESCALATED. MICHAEL, YOUR FAMILY AND HOME ENVIRONMENT, WHILE CHALLENGING, EVIDENCES A DECENT SUPPORT SYSTEM. TPEGGY WAS THERE WHEN SHE COULD BE.

YOU HAD OLDER SIBLINGS THAT WERE THERE.
YOUR MOTHER'S HEART MUST HAVE BEEN BROKEN
WHEN YOU WERE ARRESTED AND SHE REALIZED THAT
SHE WAS UNABLE TO INTERRUPT YOUR PIPELINE TO
PRISON.

TERRY BOYD'S SISTER, TERRICA BOYD,
THROUGH ASSISTANT DISTRICT ATTORNEY DANA
CUMMINGS, SPOKE ON BEHALF OF THE BOYD
FAMILY. TERRICA BOYD TOLD THE COURT THAT
THE FAMILY IS OPPOSED TO THE POSSIBILITY OF
YOU BEING RELEASED FROM PRISON BECAUSE YOU
MAY HURT HER AND HER FAMILY.

YOU HAVE A SERIOUS JUVENILE AND ADULT
CRIMINAL RECORD. THE COURT CONSIDERED THE
MILLER FACTORS IN REACHING IT'S DECISION ON
YOUR SENTENCE. MICHAEL, IT IS THE COURT'S
OPINION THAT YOU KNEW RIGHT FROM WRONG, THAT
YOU HAVE COMMON SENSE, AND ARE VERY STREET
WISE, NOTWITHSTANDING THE FACT THAT YOU WERE
17 AT THE TIME OF THE HOMICIDE. THE COURT
CONSIDERED PERSONAL AND FAMILIAL PRESSURES,
INCLUDING THE GANGSTA LIFESTYLE THAT YOU MAY
HAVE BEEN LURED INTO BY BOOSIE. THE COURT
ALSO CONSIDERED THE LEADERSHIP ROLE YOU
PLAYED IN THE COMMISSION OF TERRY BOYD'S
MURDER AND WHETHER OR NOT YOU CAN BE
REHABILITATED.

THIS COURT RECOGNIZES THE FUNDAMENTAL DEVELOPMENTAL DIFFERENCES BETWEEN YOUTH AND ADULTS AND THAT CHILDREN ARE CONSTITUTIONALLY DIFFERENT THAN ADULTS FOR PURPOSES OF SENTENCING. THE SENTENCE TO BE IMPOSED TODAY IS BASED ON MICHAEL'S UNIQUENESS AND THE VIOLATION FOR WHICH HE WAS CONVICTED. THE COURT HAS BALANCED HIS YOUTH ON ONE END AND ON THE OTHER END THE MURDER FOR HIRE THAT HE ENJOYED.

LAW ENFORCEMENT PEOPLE TALK ABOUT REHABILITATION BUT THE REALITY IS THAT THERE IS VERY LITTLE REHABILITATION THAT OCCURS IN PRISON TODAY. BECAUSE OF STATE BUDGET CUTS, THE LOUISIANA DEPARTMENT OF CORRECTION'S EMPHASIS APPEARS TO BE MOVING MORE AND MORE TO SIMPLY PUNISHING PRISONERS FOR THE CRIMES THAT THEY HAVE COMMITTED AGAINST SOCIETY INSTEAD OF TRULY REHABILITATING THEM SO THAT THEY CAN ONE DAY REJOIN SOCIETY. THE REALITY GOING FORWARD IS THAT REHABILITATION PROGRAMS IN OUR PRISONS MAY NOT BE A PRIORITY.

NOTWITHSTANDING WHETHER OR NOT THERE ARE REHABILITATION PROGRAMS IN PRISON, FOR MANY OFFENDERS, REHABILITATION BEGINS WITHIN. THE COURT FEELS THAT EVERY OFFENDER HAS THE

POTENTIAL FOR REHABILITATION. BUT THE QUESTION TODAY IS, WILL YOU MAKE THE EFFORT TO CHANGE YOUR CHARACTER SO THAT IT WILL RENDER SOCIETY -- THE QUESTION IS, WILL YOU MAKE THE EFFORT TO CHANGE YOUR CHARACTER TO THAT WHICH WILL RENDER SOCIETY SAFE FOR YOU TO WALK AMONG FREE MEN, WOMEN, AND CHILDREN? AND IF YOU CHOOSE TO DO SO, WILL YOU SUCCEED?

MICHAEL, PLEASE STAND TO BE SENTENCED. FOR THE CONVICTION OF THE FIRST-DEGREE MURDER FOR HIRE OF TERRY BOYD, BASED UPON THE INFORMATION THAT I HAVE NOW, I SENTENCE YOU, MICHAEL LOUDING, TO THE CUSTODY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS FOR THE DURATION OF YOUR NATURAL LIFE, WITHOUT THE BENEFIT OF PROBATION, PAROLE, OR SUSPENSION OF SENTENCE. BY SENTENCING YOU TO LIFE WITHOUT THE BENEFIT OF PAROLE, I BELIEVE THAT YOU ARE THE WORST OF THE WORST.

ON MAY 23RD, 2013, THE COURT NOTICED PARTIES BY EMAIL THAT SENTENCING WAS MOVED UP TO JULY 9TH, 2013. I RECEIVED, ON JULY 8TH, 2013, NINE MOTIONS FOR SUBPOENAS OF RECORDS FROM FIVE MEDICAL FACILITIES, THE SOCIAL SECURITY ADMINISTRATION, THE EAST BATON ROUGE PARISH SCHOOL SYSTEM, JUVENILE

COURT, AND THE LOUISIANA DEPARTMENT OF CHILDREN AND FAMILY SERVICES THAT WAS FILED ON JULY 3RD, 2013, AT 3:16 P.M. THE ORDERS WERE SIGNED PROMPTLY WITH A RETURN DATE OF AUGUST 9TH, 2013.

IN THE JULY 3RD, 2013, HEARING THAT DEALT WITH CERTAIN POST-TRIAL MATTERS, DEFENSE COUNSEL REQUESTED A THIRTY-DAY DELAY OF TODAY'S SENTENCING TO SECURE ADDITIONAL MITIGATING EVIDENCE WHICH INCLUDES, I SUPPOSE, THE SUBPOENAED INFORMATION. WHILE THE COURT DENIED THE DELAY IN THE SENTENCING, THE COURT WILL EXTEND YOUR RIGHT TO APPEAL OR ASK FOR A RECONSIDERATION OF TODAY'S SENTENCE TO SEPTEMBER 12TH, 2013, MORE THAN THE THIRTY DAYS PREVIOUSLY REQUESTED, AND TWO YEARS FOR ANY POST-CONVICTION RELIEF. GOOD LUCK AND GODSPEED.

END OF SENTENCING