

2017 Regular Session

HOUSE BILL NO. 489

BY REPRESENTATIVE LEGER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIMINAL/JUSTICE: Reinvests money from savings realized as a result of reforms to the criminal justice system and requires the collection of data in this regard

1 AN ACT

2 To enact R.S. 15:827.2 and 827.3, relative to the reinvestment of savings realized from
3 criminal justice reforms; to require the Department of Public Safety and Corrections
4 to collect and make available certain information and data relative to the prison and
5 community supervision population; to authorize the Department of Public Safety and
6 Corrections to promulgate rules and regulations; to provide guidelines on the type
7 of information and data to be collected; to provide relative to the calculation of
8 savings realized by the Department of Public Safety and Corrections; to require the
9 reinvestment of a portion of the savings realized; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 15:827.2 and 827.3 are hereby enacted to read as follows:

12 §827.2. Data collection and reporting requirements

13 A.(1) In addition to other duties imposed upon the Department of Public
14 Safety and Corrections, it shall be the duty of the department, in conjunction with the
15 Louisiana Supreme Court, to collect and track data relative to prison admissions,
16 sentencing, habitual offender sentencing, parole, community supervision, medical
17 furlough, certified treatment and rehabilitation programs, workforce development
18 work release programs, and cost savings and reinvestment.

19 (2) The department shall provide the information described in Subsection D
20 of this Section to the Joint Legislative Committee on the Budget and the

1 commissioner of administration by December 31, 2017, and shall provide updated
2 information annually thereafter.

3 (3) The department shall make the information described in Paragraphs
4 (D)(1) through (7) of this Section publicly available by December 31, 2017, and shall
5 update the information annually thereafter.

6 B. The department may contract with a third-party provider to assist with the
7 collection, tracking, and analysis of the data and information collected pursuant to
8 the provisions of this Section.

9 C. The department is authorized to adopt rules or regulations necessary to
10 implement the provisions of this Section.

11 D. The information collected by the department, in conjunction with the
12 Louisiana Supreme Court, shall include but not be limited to the following:

13 (1) With respect to criminal sentencing data: the number of convictions,
14 sentences imposed, and types of financial obligations.

15 (2) With respect to prison admissions: the total prison population and the
16 total number of individuals admitted to prison by offense type, type of admission,
17 prior criminal history, and, if measured upon intake, by risk assessment score and
18 risk assessment tool.

19 (3) With respect to parole and release from prison: the average length of
20 stay in prison organized by offense type and by type of admission, the total number
21 of individuals released from prison organized by type of release, the total number of
22 parole hearings held, and the recidivism rate of individuals released from prison.

23 (4) With respect to the population of individuals on probation or parole
24 supervision: the total number of supervision intakes by offense type and by risk
25 assessment score, the average sentence length for persons on probation by offense
26 type, and the total number of supervision discharges by discharge type.

27 (5) With respect to those individuals on probation or parole supervision who
28 violate a condition of their release or commit a new offense: the average amount of
29 time credited to either their suspended sentence or the remainder of their sentence

1 from time spent on supervision, the average amount of time credited to either their
2 suspended sentence or the remainder of their sentence from time spent awaiting trial
3 pre-revocation, the total number of non-jail administrative sanctions administered,
4 and the total number of, and average length of stay in jail for, administrative jail
5 sanctions issued.

6 (6) With respect to certified treatment and rehabilitation programs (CTRP),
7 pursuant to R.S. 15:828: the total number of individuals who are awarded earned
8 credits from CTRP, the percentage of eligible individuals who are awarded earned
9 credits from CTRP, the average amount of credits individuals earn from CTRP, and
10 the number of certified treatment and rehabilitation programs offered at facilities
11 housing inmates under the custody of the Department of Public Safety and
12 Corrections.

13 (7) With respect to workforce development work release program, pursuant
14 to R.S. 15:1199.9: the total number of individuals who participate in a workforce
15 development work release program, the percentage of eligible individuals who
16 participate in a workforce development work release program, and the average
17 amount of awarded earned credits for participation in a workforce development work
18 release program.

19 (8) With respect to reinvestment and savings: the total amount of annual
20 savings achieved as a result of legislation relative to the criminal justice system
21 enacted in the 2017 Regular Session of the Legislature, the total amount of funds
22 deemed a bona fide obligation pursuant to R.S. 15:827.3, and the entities that
23 received reinvestment funds, the dollar amounts directed to each, and a description
24 of how the funding was used.

25 §827.3. Savings attributable to criminal justice reforms

26 A. At the end of each fiscal year, the Department of Public Safety and
27 Corrections shall provide to the commissioner of administration and to the Joint
28 Legislative Committee on the Budget a statement of calculated annual savings
29 realized as a result of reforms to the criminal justice system. For Fiscal Year 2017-

1 2018, seventy percent of the savings shall be deemed a bona fide obligation of the
2 state and shall be allocated according to Subsection B of this Section. For Fiscal
3 Year 2018-2019 and each fiscal year thereafter, fifty percent of the annual savings
4 shall be deemed a bona fide obligation of the state and shall be allocated according
5 to Subsection B of this Section.

6 B. A portion determined in Subsection A of this Section of the annual
7 savings realized as a result of the reforms to the criminal justice system shall be
8 allocated as follows:

9 (1) Thirty percent shall be allocated to the Department of Public Safety and
10 Corrections to award incentive grants to parishes, judicial districts, and nonprofit
11 community partner organizations to expand evidence-backed prison alternatives and
12 reduce admissions to the state prison system.

13 (2) Twenty percent shall be allocated to the Louisiana Commission on Law
14 Enforcement and the Administration of Criminal Justice to award competitive grants
15 for victim services, including but not limited to victim safety assessments and safety
16 planning, trauma-informed treatment and services for victims and survivors, shelters
17 and transitional housing for domestic violence victims and their children, batterers'
18 intervention programming, and victim-focused education and training for justice
19 system professionals.

20 (3) The remainder shall be allocated to the Department of Public Safety and
21 Corrections for targeted investments in reentry services, community supervision,
22 educational and vocational programming, transitional work programs, and contracts
23 with parish jails and other local facilities that house state inmates to incentivize
24 expansion of recidivism reduction programming and treatment services.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 489 Original

2017 Regular Session

Leger

Abstract: Provides for the reinvestment of savings realized as a result of criminal justice reforms and requires the collection of certain data and information in this regard.

Proposed law requires the Dept. of Public Safety and Corrections, in conjunction with the La. Supreme Court, to collect certain information on prison admissions, sentencing, habitual offender sentencing, parole, community supervision, medical furlough, certified treatment and rehabilitation programs, workforce development work release programs, and cost savings and reinvestment.

Proposed law requires the department to provide the information collected to the commissioner of administration and the Jt. Legislative Committee on the Budget by Dec. 31, 2017, and to provide updated information annually thereafter. Further requires the department to make the information collected publicly available by Dec. 31, 2017, and to update the information annually thereafter.

Proposed law authorizes the department to contract with a third-party provider to assist with the collection, tracking, and analysis of the data and information collected, and to adopt rules and regulations as are necessary to implement the provisions of proposed law.

Proposed law provides for the reinvestment and allocation of funds resulting from annual savings realized from criminal justice reforms as follows:

- (1) 30% to the Dept. of Public Safety and Corrections to award incentive grants to parishes, judicial districts, and nonprofit community partner organizations to expand evidence-backed prison alternatives and reduce admissions to the state prison system.
- (2) 20% to the La. Commission on Law Enforcement and the Administration of Criminal Justice to award competitive grants for victim services.
- (3) The remainder to the Dept. of Public Safety and Corrections for targeted investments in reentry services, community supervision, educational and vocational programming, transitional work programs, and contracts with parish jails and other local facilities that house state inmates to incentivize expansion of recidivism reduction programming and treatment services.

(Adds R.S. 15:827.2 and 827.3)