

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 394

2018 Regular Session

Cox

VETERANS: Establishes the Post-Conviction Veterans Mentor Program

Synopsis of Senate Amendments

1. Requires the offender to complete all programs deemed appropriate by the Dept. of Public Safety and Corrections to be eligible for the Post-Conviction Veterans Mentor Program.
2. Regarding eligibility criteria, defines a major disciplinary offense as an offense identified as a Schedule B offense by the Dept. of Public Safety and Corrections in the Disciplinary Rules and Procedures for Adult Offenders.
3. Requires the offender be considered "low risk" at the time of consideration for the program.
4. Requires that the offender obtain the age of 40 years and serve at least 10 years of the term of imprisonment.
5. Requires the offender to be pre-screened by the Dept. of Public Safety and Corrections, office of adult services, for placement in a transitional work program.
6. Provides that if approved by the Dept. of Public Safety and Corrections, office of adult services, the offender shall be transferred to an appropriate transitional work program. After three successful years in the transitional work program, the offender shall be granted a parole hearing, if not otherwise eligible for a hearing prior to such date.
7. To maintain eligibility to participate in the program, the offender must continue to participate in all programming deemed appropriate by the Dept. of Public Safety and Corrections and the Dept. of Veterans Affairs.
8. Allows for the removal from the transitional work program if the offender violates the eligibility conditions. Additionally, any veteran removed from the program shall not be eligible for further consideration.
9. Grants a hearing before the committee on parole after successful completion of the assigned term at the transitional facility.
10. Allows veterans to serve as mentors after receiving a favorable recommendation from the Bd. of Pardons based on a pre-screen assessment developed by the Bd. of Pardons.
11. Provides that veterans receiving a favorable recommendation by the Bd. of Pardons shall serve as mentors of the Veterans Court probation program.
12. Requires the department through placement of the offender in a transitional work program to facilitate work opportunities for veterans participating in the Post-Conviction Veterans Mentor Program.

Digest of Bill as Finally Passed by Senate

Proposed law creates the Post-Conviction Veterans Mentor Program.

Proposed law defines "veteran" as an honorably or generally discharged member of the U.S. Armed Forces or organized militia of the several states and territories, including but not limited to a member of the Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, Air National Guard, Reserves, State Guard, or a commissioned officer of the Public Health Service, Environmental Science Services Administration, or National Oceanic and Atmospheric Administration, or its predecessor, the United States Coast and Geodetic Survey.

Proposed law provides that an offender who is incarcerated is eligible to participate in the program if certain conditions are met including:

- (1) An offender must satisfy the eligibility requirements of the present law Veterans Court Program.
- (2) The department has reason to believe that the offender could benefit from the Post-Conviction Veterans Mentor Program.
- (3) The offender is committed to the Dept. of Public Safety and Corrections (DPS&C) for a term or terms of imprisonment with or without benefit of parole.
- (4) The offender has completed all programming deemed appropriate by DPS&C.
- (5) The offender has not committed any major disciplinary offenses in twelve consecutive months prior to the transfer. A major disciplinary offense is an offense identified as a Schedule B offense by the DPS&C in the Disciplinary Rules and Procedures for Adult Offenders.
- (6) The offender has completed the mandatory minimum of 100 hours of prerelease programming.
- (7) The offender has obtained a GED credential, unless the offender has previously obtained a high school diploma.
- (8) The offender, at the time of consideration for the program, is not designated as "high-risk" and is considered "low risk".
- (9) The offender is in the custody of DPS&C.
- (10) The offender has attained the age of 40 years and has served at least 10 years of the term or terms of imprisonment.

Proposed law provides that an offender who meets the eligibility requirements provided by proposed law is then subject to pre-screening by DPS&C, office of adult services, for placement in a transitional work program. Additionally, if approved by DPS&C, office of adult services, the offender shall be transferred to an appropriate transitional work program. Provides that after three successful years at a transitional facility, the offender shall be granted a parole hearing, if not otherwise eligible for a hearing prior to such date.

Proposed law provides that to maintain eligibility to participate in the program, the offender must comply with all of the following:

- (1) Maintain parole eligibility.
- (2) Continue to participate in all programming deemed appropriate by DPS&C and the Dept. of Veteran Affairs.
- (3) Meet once a month with an authorized veteran transition counselor.
- (4) Perform at least 50 hours of unpaid community service to any veteran or military

program, including the Veterans Court probation program.

- (5) Offenders approved for placement in a transitional facility shall serve as mentors of the Veterans Court probation program.

If the offender violates a condition of his eligibility, proposed law provides that he shall be subject to disciplinary sanctions including up to and including removal from the transitional work program. Any veteran removed from the program shall not be eligible for further consideration pursuant to proposed law.

Proposed law provides that after successful completion of the assigned term at the transitional facility, the veteran shall be granted a hearing before the committee on parole. If the veteran is granted parole, then the veteran shall be released on parole or released on diminution of sentence. Any veteran whose parole is revoked shall not be eligible to participate in the program.

Proposed law provides for the Bd. of Pardons, based on a pre-screen assessment developed by the Bd. of Pardons, to determine whether eligible veterans can serve as mentors. Further provides that the mentors serve as liaisons between the program and the participant. The department, through placement of the offender in a transitional work program, shall facilitate work opportunities for veterans participating in the Post-Conviction Veterans Mentor Program.

Proposed law provides for the wages of the mentors and provides that any mentor who is employed shall be responsible for the cost of certain expenses, but not more than 70% of the wages may be deducted to cover such costs. Further provides for the disbursement of the wages for certain purposes.

Proposed law authorizes DPS&C to create, establish, operate, contract, and maintain transitional facilities for incarcerated veterans who serve as mentors for the Veterans Court probation program. Further provides for certain requirements for the facilities.

(Adds R.S. 15:1199.21 - 1199.26)