

## RÉSUMÉ DIGEST

ACT 440 (HB 730)

2018 Regular Session

Terry Landry

Existing law provides for the following:

- (1) A prisoner convicted and sentenced to incarceration by a court in another state shall not be housed for the commission of that offense in a state correctional facility in La.
- (2) A prisoner convicted and sentenced to incarceration by a court in another state who is housed in a local jail or private correctional facility in La. shall not be released in this state. Any prisoner housed in a local jail or private correctional facility shall be returned to an appropriate correctional facility located within the state where he was convicted and sentenced for release in that state.
- (3) A prisoner convicted and sentenced by another state shall not be housed in a local jail or private correctional facility if the prisoner would be classified as maximum custody by the Dept. of Public Safety and Corrections classification procedure.
- (4) The state where the prisoner was convicted and sentenced shall be responsible for the costs associated with returning the prisoner to that state.

New law provides for the adoption of the Interstate Corrections Compact which does all of the following:

- (1) Provides that existing law shall apply except as otherwise provided by new law.
- (2) Provides that the purpose of the compact is to provide for the mutual development and execution of programs among participating states for the confinement, treatment, and rehabilitation of offenders with the most economical use of human and material resources.
- (3) Defines the terms "inmate", "institution", "receiving state", "sending state", and "state" for purposes of new law.
- (4) Authorizes each party state to contract with any one or more of the other party states for the confinement of inmates on behalf of a sending state in institutions situated within receiving states. Further provides for specific requirements for each contract.
- (5) Authorizes duly constituted authorities in a state party to the compact to direct that the confinement of an inmate be within the territory of another party state when the transfer to the other party state is necessary or desirable in order to provide adequate quarters and care or an appropriate program of rehabilitation or treatment.
- (6) Provides for the rights of appropriate officials of any state party to the compact and the rights of inmates confined in an institution pursuant to the provisions of the compact.
- (7) Requires each receiving state to provide regular reports to each sending state on the inmates of the sending state who are in institutions of the receiving state pursuant to the compact.
- (8) Provides that any inmate confined pursuant to the compact shall be released within the territory of the sending state unless the inmate and the sending and receiving states agree upon release in some other place.
- (9) Provides relative to the receiving state's review of decisions and actions taken by the sending state.
- (10) Provides relative to the escape of inmates from an institution in which they are confined pursuant to the compact and provides for extradition or rendition proceedings in this regard.

- (11) Authorizes any state party to the compact to accept federal aid for use in connection with any institution or program, the use of which is or may be affected by the compact or any contract entered into pursuant to the compact.
- (12) Provides that the compact shall become effective when it has been enacted into law and provides that it shall continue in force and remain binding upon a party state until it enacts legislation repealing the compact and sends formal written notice of withdrawal from the compact to the appropriate officials of all other party states.
- (13) Provides that nothing in the compact shall be construed to abrogate or impair an agreement or other arrangement which a party state may have with a nonparty state for the confinement, rehabilitation, or treatment of inmates, nor to repeal any other laws of a party state authorizing the making of cooperative institutional arrangements.
- (14) Authorizes and directs the secretary of the Dept. of Public Safety and Corrections to do all things necessary or incidental to the carrying out of the compact.

Effective August 1, 2018.

(Amends R.S. 15:709(A), (B), (C), and (D); Adds R.S. 15:771-780)