

SENATE BILL NO. 407

BY SENATOR FOIL

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AN ACT

To amend and reenact R.S. 15:1199.22, 1199.24(A)(1), (2), (7), and (8), (B), (C), (D), (E), and (F), 1199.25, and 1199.26 and to enact R.S. 15:1199.24(A)(11), (12), and (G), relative to the Post-Conviction Veterans Mentor Program; to provide for the authorization of the Post-Conviction Veterans Mentor Program; to provide for eligibility criteria; to provide for veteran mentors; to provide for screening of eligible mentors; to provide for work opportunities for inmates participating in the program; to provide for transitional facilities; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:1199.22, 1199.24(A)(1), (2), (7), and (8), (B), (C), (D), (E), and (F), 1199.25, and 1199.26 are hereby amended and reenacted and R.S. 15:1199.24(A)(11), (12), and (G) are hereby enacted to read as follows:

§1199.22. Purpose; **authorization of Post-Conviction Veterans Mentor Program**

**A.** The Legislature of Louisiana recognizes that there is a critical need for criminal justice system programs to assist veterans in order to reduce the incidence of recidivism. As with the Veterans Court probation program, there is also a need to assist veterans who have been convicted of offenses. Those veterans who are eligible and willing to participate in the program could serve as mentors for veterans participating in the Veterans Court probation program. Therefore, it is the intent of the Legislature of Louisiana to create an opportunity for veterans convicted of certain offenses to return to society and be successful in re-entry into the workplace. The goal of the Post-Conviction Veterans Mentor Program is to reduce recidivism among veterans and to provide those who have served this country with the assistance that they need and deserve.

**B. The secretary of the Department of Public Safety and Corrections is**

1 authorized to establish a Post-Conviction Veterans Mentor Program for  
 2 incarcerated veterans, hereinafter referred to as "program". The department  
 3 shall adopt regulations and guidelines as it considers necessary for the  
 4 administration and implementation of this program. The provisions of this Part  
 5 shall be implemented only to the extent that funds are available within the  
 6 department for this purpose and to the extent that is consistent with available  
 7 resources.

8 \* \* \*

9 §1199.24. Post-Conviction Veterans Mentor Program for incarcerated veterans;  
 10 eligibility criteria

11 A. Notwithstanding any other provision of law to the contrary, an offender  
 12 who is incarcerated shall be eligible **for consideration** to participate in the  
 13 Post-Conviction Veterans Mentor Program if all of the following conditions are met:

14 (1) The offender ~~satisfies the eligibility requirements of R.S. 13:5366~~  
 15 ~~(Veterans Court Program)~~ **is a veteran as defined by R.S. 15:1199.23(2).**

16 (2) ~~The department has reason to believe that the offender could benefit from~~  
 17 ~~the Post-Conviction Veterans Mentor Program.~~ **The offender has no convictions**  
 18 **for an offense defined as a homicide in R.S. 14:29 or as a sex offense in R.S.**  
 19 **15:541.**

20 \* \* \*

21 (7) ~~The offender has obtained a GED credential, unless the offender has~~  
 22 ~~previously obtained a high school diploma or is deemed by a certified educator as~~  
 23 ~~being incapable of obtaining a GED~~ **high school equivalent.**

24 (8) The offender, at the time of consideration for the program, ~~is not~~  
 25 ~~designated as "high risk" and is considered "low risk"~~ **has obtained a "low risk"**  
 26 **level designation determined by a validated risk assessment instrument**  
 27 **approved by the secretary of the department.**

28 \* \* \*

29 **(11) The offender has completed a mentor training program as**  
 30 **considered appropriate by the Department of Public Safety and Corrections.**

1                    (12) The sentencing court and the district attorney of the jurisdiction of  
 2                    the conviction consent.

3                    B. ~~An eligible~~ Upon meeting the eligibility requirements set forth in  
 4                    Subsection A of this Section, the offender shall then be subject to pre-screening  
 5                    and assessments for suitability by the Department of Public Safety and Corrections,  
 6                    office of adult services for placement in a transitional work release program, in  
 7                    accordance with R.S. 15:1111.

8                    C. If the offender is approved to participate in the program by the  
 9                    Department of Public Safety and Corrections, office of adult services they shall be  
 10                    transferred to an appropriate transitional work program. After three successful years  
 11                    in a transitional work program, the offender shall be granted a parole hearing by the  
 12                    committee on parole as provided in Subsection G of this Section, if not otherwise  
 13                    eligible for a hearing prior to such date.

14                    D. ~~To maintain eligibility to participate in the program, the offender must~~  
 15                    ~~comply with all of the following requirements~~ Additional requirements for  
 16                    participation in the program:

17                    (1) ~~Maintain parole eligibility pursuant to the provisions of R.S. 15:574.4.~~

18                    (2) Continue to participate in all programming ~~deemed~~ considered  
 19                    appropriate by the Department of Public Safety and Corrections and the Department  
 20                    of Veterans Affairs.

21                    (3) ~~(2)~~ Meet once a month with an authorized veteran transition counselor.

22                    (4) ~~(3)~~ Perform at least fifty hours of unpaid community service to any veteran  
 23                    or military program, including the Veterans Court probation program.

24                    (5) ~~(4)~~ ~~Offenders approved for placement in a transitional facility shall serve~~  
 25                    Serve as mentors of the Veterans Court ~~probation program if they receive a~~  
 26                    ~~favorable recommendation as provided in R.S. 15:1199.25.~~

27                    (5) Submit to random drug screenings and receive no positive results  
 28                    from such screenings.

29                    E. Liability for all activity and possible illegal activity shall fall solely on  
 30                    the offender participating in the program. The Department of Public Safety and



1 of defense against relapse and recidivism in the parish of the transitional work  
 2 release program in which the offender is housed.

3 ~~B. The department, through placement of the offender in a transitional work~~  
 4 ~~program, shall facilitate work opportunities for veterans participating in the~~  
 5 ~~Post-Conviction Veterans Mentor Program.~~

6 ~~C.(1) Any mentor who is employed shall be responsible for the cost of his~~  
 7 ~~room, board, clothing, and other necessary expenses unless other means of payment~~  
 8 ~~are approved by the department.~~

9 ~~(2) The wages of any such veteran shall be disbursed for the following~~  
 10 ~~purposes subject to the approval of the department:~~

11 ~~(a) The room and board of the veteran including food and clothing.~~

12 ~~(b) Necessary travel expenses to and from work and other incidental~~  
 13 ~~expenses of the veteran.~~

14 ~~(c) Any court-ordered child support owed by the veteran.~~

15 ~~(d) Any court-ordered restitution, or restitution owed to the department, or~~  
 16 ~~any other obligations acknowledged by the veteran in writing, or which have been~~  
 17 ~~reduced to judgment. The obligations may be paid in installments approved by the~~  
 18 ~~department.~~

19 ~~(e) The balance, if any, owed to the veteran upon his discharge.~~

20 ~~(3) The wages of an employed veteran shall not be less than the customary~~  
 21 ~~wages for an employee performing similar services.~~

22 ~~(4) In no case shall veterans participating in such programs be authorized or~~  
 23 ~~permitted to work or to continue working on a project or job involved in a labor~~  
 24 ~~dispute.~~

25 ~~D. Deductions for room, board, and other administrative costs resulting from~~  
 26 ~~participation of employment in connection with a transitional facility authorized by~~  
 27 ~~this Part shall not exceed the limits set forth in R.S. 15:1111.~~

28 §1199.26. Transitional facilities

29 A.**(1)** The Department of Public Safety and Corrections is hereby authorized  
 30 to create, establish, operate, contract, and maintain transitional facilities for

1 incarcerated veterans identified as veterans of the United States Armed Forces. The  
2 facilities shall be established in such places throughout the state as are deemed  
3 necessary by the ~~director~~ **secretary or his designee**.

4 (2) Such facilities shall be operated and maintained for those ~~veterans~~  
5 **offenders** who serve as mentors for the Veterans Court probation program and those  
6 veterans who have strong rehabilitation potential. **Existing transitional work**  
7 **release program facilities, otherwise known as work release, may be used to**  
8 **provide services and opportunities to the veterans participating in the program**  
9 **to benefit both the veterans participating and the parish jails.**

10 B. All transitional facilities **established pursuant to this Part** shall be  
11 ~~minimum security structures and comply with security measures deemed appropriate~~  
12 ~~by the department~~ **the provisions of R.S. 15:1111.**

13 C. The department or its agent may ~~employ psychiatrists, neurologists,~~  
14 ~~special educators, guidance counselors, psychologists, nurses, technicians, social~~  
15 ~~workers, occupational therapists, physicians, and other professional personnel to staff~~  
16 ~~transitional facilities or may contract for the services of such persons with~~  
17 ~~community service organizations, religious groups, universities, and medical schools~~  
18 **allow participants in the program who are veterans to utilize the services of the**  
19 **local hospital, center, or clinic operated by the Department of Veterans Affairs**  
20 **for mental health services, medical care, and any other earned eligible benefits**  
21 **due to service, at no expense to the state.**

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_