

Dept./Agy.: Corrections

Analyst: Rebecca Robinson

Subject: Diminution of sentence

CRIME/PUNISHMENT

EG1 INCREASE GF EX See Note Provides relative to commutation of a prison sentence for good behavior. (gov sig) Page 1 of 1

Proposed legislation provides that a person convicted in the death of a victim who was a peace officer or first responder shall earn diminution of sentence at a rate of 1 day for every 30 days in custody.

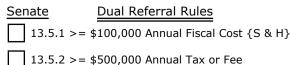
EXPENDITURES	2022-23	<u>2023-24</u>	2024-25	2025-26	2026-27	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						
REVENUES	<u>2022-23</u>	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds Local Funds	\$0 <u>\$0</u>	\$0 <u>\$0</u>	\$0 <u>\$0</u>	\$0 <u>\$0</u>	\$0 <u>\$0</u>	\$0 <u>\$0</u>

EXPENDITURE EXPLANATION

There will be an indeterminable increase in SGF expenditures for the Department of Public Safety & Corrections - Corrections Services (DPS&C) as a result of the proposed measure. The proposed legislation would only apply to persons convicted of manslaughter, negligent homicide, or vehicular homicide in the death of a victim who was a peace officer or first responder. Under current law, depending on the circumstances of each case and the sentence imposed, offenders earn good time at a rate of 1 day for every 3 days in custody (or 25%), 30 days for every 30 days in custody (or 50%), or 13 days for every 7 days in custody (or 65%). Under the proposed law, these offenders would earn good time at a rate of 1 day for every 30 days in custody (or 3.2%). The net impact would be an increase in expenditures to DPS&C as certain offenders would earn good time at a substantially lower rate under the proposed law than under the current law, and would remain in custody longer. Any offender remaining in the custody of DPS&C increases SGF expenditures of \$26.39 per day per offender (and \$9,632 annually per offender) in adult local housing and \$83.23 per day per offender (and \$30,379 annually per offender) in a state facility.

REVENUE EXPLANATION

There will be an indeterminable decrease in self-generated revenue to DPS&C - Probation & Parole to the extent any offender remains in custody longer and is not released on parole under proposed law than under current law.



Dual Referral Rules

Change {S & H}

House

 $6.8(F)(1) >= $100,000 \text{ SGF Fiscal Cost } \{H \& S\}$

Evan Brasseaux

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux Interim Deputy Fiscal Officer