RÉSUMÉ DIGEST

ACT 748 (HB 893) **2022 Regular Session** **Hughes**

Prior law authorized DPS&C to enter into cooperative endeavors or contracts with the La. Workforce Commission, the La. Dept. of Education, and the La. community and technical colleges, educational institutions, training facilities, and service providers to provide entrepreneurial educational opportunities for eligible offenders.

New law requires rather than authorizes DPS&C to enter into such cooperative endeavors or contracts.

Existing law requires DPS&C, in conjunction with the La. Commission on Law Enforcement and Administration of Criminal Justice, to collect, track, analyze, forecast, and distribute data relative to prison admissions, sentencing, habitual offender sentencing, parole, community supervision, medical furlough, certified treatment and rehabilitation programs, workforce development programs, and cost savings and reinvestment.

Existing law requires DPS&C to annually report to the Joint Legislative Committee on the Budget (JLCB) on the data it collects, including certain specific data analysis including information relative to the population of individuals on probation or parole, prison admissions, certified treatment and rehabilitation programs, workforce development, and reinvestment and savings.

New law retains the requirements of existing law to provide this specific information, but changes the entity to which DPS&C provides the information. Requires the analysis of reinvestment and savings data to be reported to JLCB in the month of July of each year. Establishes further requirements for this report to JLCB as detailed in new law. Requires the analysis of probation and parole populations, prison admissions, certified treatment and rehabilitation programs, and workforce development to be submitted to the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary B no later than June 30th of each year.

With respect to the savings attributable to recent criminal justice reform legislation, prior law required DPS&C each year to provide to the commissioner of administration and JLCB a statement of calculated annual savings realized as a result of these reforms. New law requires the report to be submitted solely to JLCB.

Existing law deems 50% of the annual savings a bona fide obligation of the state and establishes the following allocation for that portion of the savings:

(1) 30% of the 50% is allocated to DPS&C 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% of the 50% is allocated to the La. Commission on Law Enforcement and the Administration of Criminal Justice to award competitive grants for victim services.

(3) 50% of the 50% is allocated to DPS&C 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.

Existing law deems an additional 20% of the total annual savings a bona fide obligation of the state and allocates the amount to DPS&C for juvenile justice initiatives and programs.

New law bases the percentage on the total amount of savings instead of the bona fide amounts as follows:

(1) 15% to DPS&C 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) 10% to the La. Commission on Law Enforcement and the Administration of Criminal Justice to award competitive grants for victim services.

(3) 45% to the La. Community and Technical College System for targeted investments in educational and vocational training aimed at recidivism reduction programing for adult and juvenile offenders. New law further requires the La. Community and Technical College System to report to the legislature by Dec. 15th of each year.

New law retains the requirement of existing law that 70% of the annual savings be deemed a bona fide obligation of the state.

As previously noted, new law requires DPS&C to submit a report each year to JLCB regarding the savings from criminal justice reform legislation. New law requires the report to contain information on all offenders in state facilities, offenders sentenced to DPS&C who are in the custody of the sheriff or other local governing authority, and youth in the custody or under supervision of the office of juvenile justice for each of the following topics:

(1) The total annual savings and the calculation used to determine the savings pursuant to new law.

(2) The amounts allocated pursuant to new law and existing law and a description of how DPS&C has used the funds in past fiscal years through FY 2014-2015 and how it plans to use the funds in the current fiscal year.

(3) A comparison of the number of individuals eligible for educational and vocational programming, the number of participants in educational and vocational programming, and the total amount expended on the programming from justice reinvestment funds and any additional sources of funds for the immediately preceding fiscal year and each prior fiscal year through FY 2014-2015.

(4) A comparison of recidivism rates for individuals receiving community-based services, individuals receiving educational and vocational programming, and individuals receiving a combination of community-based services and educational and vocational programming for the immediately preceding fiscal year and each prior fiscal year through FY 2014-2015.

(5) A comparison of post-incarceration employment rates for individuals who received educational and vocational programming for the immediately preceding fiscal year and each prior fiscal year through FY 2014-2015.

Provides that new law shall have prospective application only and percentages for savings allocations shall apply to savings generated in FY 2022-2023 and subsequent years.

Effective August 1, 2022.

(Amends R.S. 15:827.1(E)(2), 827.2(A)(2) and (3), and 827.3; Repeals R.S. 15:827.2(D)(7))