

First Extraordinary Session, 2005

HOUSE CONCURRENT RESOLUTION NO. 25

BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to promulgate rules in accordance with the Administrative Procedure Act to establish a plan to be implemented in times of emergency with regard to convicted sex offenders who are on supervised probation or parole.

WHEREAS, Hurricanes Katrina and Rita struck the southern portion of the state of Louisiana with such ferocity that over a thousand lives were lost, property was destroyed, and thousands of people were displaced from their homes for an indefinite period of time; and

WHEREAS, because of the magnitude of the devastation caused by the two hurricanes, an unprecedented number of people living in the affected areas of the state had to travel throughout the state and throughout the nation to find shelter; and

WHEREAS, some of those persons displaced by the two hurricanes were probationers and parolees with the Department of Public Safety and Corrections, and among them were convicted sex offenders; and

WHEREAS, the department established phone lines for displaced probationers and parolees to call to notify the department of their whereabouts, but the department was not able to locate all missing persons; and

WHEREAS, immediately following the landfalls of these two hurricanes, there were severe disruptions of all modes of communication which made contact between the Department of Public Safety and Corrections and those persons supervised by the department extremely difficult; and

WHEREAS, many times the law enforcement officials who visited emergency shelters were unable to obtain a list of evacuees housed in those shelters to compare with the

state sex offender database to determine if the sex offenders were living in those shelters;
and

WHEREAS, in 1992, the Louisiana Legislature enacted legislation to require convicted sex offenders to register with local law enforcement officials, having determined that the protection of the public from sex offenders is a paramount governmental interest;
and

WHEREAS, the state of Florida has promulgated emergency plans to provide shelter to supervised sex offenders; and

WHEREAS, the Florida Department of Corrections requires such offenders to provide the department with the address of an alternate location should the need arise to evacuate their primary residence, requires some offenders to report to a designated sex offender shelter in some circumstances, and requires offenders to report to a state correctional facility in other circumstances; and

WHEREAS, for the protection of the citizens of Louisiana, it is imperative that the law enforcement community know the location of the convicted sex offenders who are displaced in an emergency situation.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Department of Public Safety and Corrections to promulgate rules in accordance with the Administrative Procedure Act to establish a plan to be implemented in times of emergency or disaster with regard to convicted sex offenders who are on supervised probation or parole.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request the Department of Public Safety and Corrections to promulgate such rules on or before June 1, 2006.

BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted to the secretary of the Department of Public Safety and Corrections.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE