
The original instrument was prepared by James Benton. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

DIGEST

Mills (SB 473)

Present law creates a committee on parole in the Department of Public Safety and Corrections which will enforce the provisions of present law and the rules, regulations, and orders issued pursuant to present law.

Present law provides for the membership of the committee on parole to be the five members of the Board of Pardons and two at-large members appointed by the governor. Present law also provides that the warden (or in his absence the deputy warden) of the facility where the offender is incarcerated shall serve as an ex officio member of the committee.

Present law provides that each member, except for the ex officio member, shall possess not less than five years actual experience in the field of penology, corrections, law enforcement, sociology, law, education, social work, medicine, or a combination thereof. Provides that the provisions of present law shall not apply to any person serving as a member of the board on August 1, 2012.

Proposed law retains present law and adds that beginning with appointments made to the board, or appointments to fill a vacancy on the board, which occur after August 1, 2014, each member shall hold a bachelor's degree and have five years of experience in the additional fields of psychology or psychiatry. Further provides that if the member does not have at least a bachelor's degree from an accredited college or university, he or she must have no less than seven years experience in a field listed in this subsection.

Present law provides that the ex officio member of the committee shall be a nonvoting member and shall not be counted for the purposes of a quorum, but in other respects, shall have all the duties, authority, requirements and benefits of any other committee member.

Proposed law removes present law provisions regarding the ex officio member's duties, authority, requirements and benefits.

Present law provides that within 90 days of being appointed to the committee on parole, each member shall complete a comprehensive training course developed by the Department of Public Safety and Corrections. The training course shall be developed using the training components consistent with those offered by the National Institute of Corrections or the American Probation and Parole Association, and shall include classes regarding the following topics:

- (1) The elements of the decision making process, through the use of evidence-based practices for determining offender risk, needs, and motivation to change, including the actuarial

assessment tool used by the parole agent.

- (2) The security classifications as established by the department.
- (3) The programming and disciplinary processes and the department's supervision, case planning, and violation process.
- (4) The dynamics of criminal victimization.
- (5) Collaboration with corrections related stakeholders, both public and private, to increase offender success and public safety.

Proposed law retains present law but only requires voting members to attend the training course and provides that the training course shall be developed in compliance with guidelines from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.

Present law provides that each member shall complete a minimum of eight hours of training annually, which shall be provided for in the annual budget of the Department of Public Safety and Corrections. The annual training course shall be developed using the training components consistent with those offered by the National Institute of Corrections or American Probation and Parole Association and shall offer classes regarding the following topics:

- (1) A review and analysis of the effectiveness of the assessment tool used by the parole agents.
- (2) A review of the department's progress toward public safety goals.
- (3) The use of data in decision making.
- (4) Any information regarding promising and evidence-based practices offered in the corrections related and crime victim dynamics field.

Proposed law changes present law to add the Association of Paroling Authorities International to the development requirements of the annual training. Changes the class topics to:

- (1) Data-driven decision making.
- (2) Evidence based practices.
- (3) Stakeholder collaboration.
- (4) Recidivism reduction.

Present law provides that the committee may grant parole with two votes of a three member

panel, or, if the number exceeds a three member panel, a majority vote of those present if, among other specified conditions, the following conditions are met:

- (1) The offender has not committed any disciplinary offenses in the 12 consecutive months prior to the parole eligibility date.
- (2) The offender has completed the mandatory minimum of 100 hours of pre-release programming in accordance with present law.

Proposed law retains present law but requires that disciplinary offenses be classified as "major" for purposes of parole eligibility denial and provides that the requirement of pre-release programming will be considered if such programming is available at the facility where the offender is incarcerated.

Effective August 1, 2014.

(Amends R.S. 15:574.2(A)(3), (8), and (9)(a) and (b), and (C)(2)(b) and (c))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Deletes provisions granting ex officio members the same authority, requirements, benefits, and duties as the other committee members.

Senate Floor Amendments to engrossed bill

1. Provides that the additional educational and experience requirements for members shall be applicable beginning with appointments made to the board, or appointments to fill a vacancy on the board, which occur after August 1, 2014.