

Regular Session, 2014

HOUSE BILL NO. 670

BY REPRESENTATIVE SMITH

CRIME: Provides for intensive parole supervision for certain offenders sentenced as habitual offenders

1 AN ACT

2 To enact R.S. 15:529.2, relative to intensive parole supervision; to authorize certain habitual
3 offenders to participate in intensive parole supervision; to provide for applicability;
4 to provide criteria; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:529.2 is hereby enacted to read as follows:

7 §529.2. Intensive parole supervision for certain habitual offenders

8 A. Notwithstanding any other provisions of law to the contrary, the secretary
9 of the Department of Public Safety and Corrections may release to intensive parole
10 supervision as provided in R.S. 15:574.4.4 any person sentenced pursuant to R.S.
11 15:529.1 and denied eligibility for diminution of sentence when the offender meets
12 the requirements of this Section and of any rules or regulations adopted by the
13 secretary in accordance with the provisions of this Section.

14 B. The secretary may release offenders pursuant to the provisions of this
15 Section only if all of the following conditions exist:

16 (1) The offender has no convictions for a crime of violence as defined in
17 R.S. 14:2(B) or a sex offense as defined in R.S. 15:541.

18 (2) The offender is within six months of his projected release date.

19 (3) The offender has not committed any major disciplinary offenses in the
20 twelve consecutive months prior to release.

1 (4) The offender has completed the mandatory minimum of one hundred
2 hours of prerelease programming in accordance with R.S. 15:827.1.

3 (5) The offender has completed substance abuse treatment as applicable.

4 (6) The offender has obtained a high school equivalency diploma, unless the
5 offender has previously obtained a high school diploma or is deemed by a certified
6 educator as being incapable of obtaining a high school equivalency diploma due to
7 a learning disability. If the offender is deemed incapable of obtaining a high school
8 equivalency diploma, the offender shall complete at least one of the following:

9 (a) A literacy program.

10 (b) An adult basic education or general education development program.

11 (c) A job skills program.

12 (7) The offender has obtained a low-risk level designation determined by a
13 validated risk assessment instrument approved by the secretary.

14 (8) The offender has completed a reentry program to be determined by the
15 Department of Public Safety and Corrections.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Smith

HB No. 670

Abstract: Authorizes intensive parole supervision for certain habitual offenders.

Proposed law provides that the secretary of the Dept. of Public Safety and Corrections may release to intensive parole supervision any person sentenced as a habitual offender and denied eligibility for diminution of sentence if all of the following conditions are met:

- (1) The offender has not been convicted of a crime of violence or a sex offense.
- (2) The offender has not committed any major disciplinary offenses in the 12 consecutive months prior to the parole eligibility date.
- (3) The offender is within six months of his projected release date.
- (4) The offender has completed the mandatory minimum of 100 hours of prerelease programming.
- (5) The offender has completed substance abuse treatment as applicable.

- (6) The offender has obtained a high school equivalency diploma (GED) unless the offender has previously obtained a high school diploma or is deemed by a certified educator as being incapable of obtaining a GED due to a learning disability. If the offender is deemed incapable of obtaining a GED, the offender must complete at least one of the following: a literacy program, an adult basic education program, or a job-skills training program.
- (7) The offender has obtained a low-risk level designation determined by a validated risk assessment instrument approved by the secretary of DPS&C.
- (8) The offender has completed a reentry program to be determined by the DPS&C.

(Adds R.S. 15:529.2)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Specified that disciplinary offenses within the last 12 months must be major disciplinary offenses in order to render a person ineligible for intensive parole supervision.