

GREEN SHEET REDIGEST

HB 1052

2016 Regular Session

Henry

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

PROBATION: Creates the Swift And Certain Probation Pilot Program

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DIGEST

Proposed law provides for the creation of a pilot program in the 24th JDC (Jefferson Parish).

Proposed law provides that the 24th JDC, by rule adopted by a majority of the judges sitting en banc, may establish a Swift and Certain Probation Pilot Program. The judicial district is authorized to provide funding for any expenses related to the administration and operation of this probation pilot program.

Proposed law further provides that any funds realized from a reduction in the amount of time a person would have been required to serve in prison if the defendant had not been placed in the program shall be appropriated to the Dept. of Public Safety and Corrections and shall be used to defray the additional operational expenses of probation and parole and reentry initiatives.

Proposed law provides that the terms of the probation pilot program shall be decided by the presiding judge or judges.

Proposed law provides that sanctions imposed pursuant to the probation pilot program shall be served without diminution of sentence or credit for time served.

Proposed law provides that when a case is assigned to the probation pilot program, with the consent of the district attorney, the court may place the defendant on probation for a period of not less than one year and not more than eight years if the court determines that successful completion of the program may require that period of probation to exceed the five-year limit. If necessary to insure successful completion of the program, the court may extend the duration of the probation period. The period of probation as initially fixed or as extended shall not exceed eight years.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends C.Cr.P. Art. 893(B)(1)(b); adds C.Cr.P. Art. 893(B)(1)(a)(iv)(dd) and R.S. 13:5371-5373)

Summary of Amendments Adopted by House

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

- 1. Provides that proposed law shall become effective upon signature of the governor.

Summary of Amendments Adopted by Senate

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

- 1. Makes technical changes.

2. Provides that sanctions imposed pursuant to the probation pilot program will be served without diminution of sentence or credit for time served.
3. Changes the probation period of cases assigned to the pilot program from not more than eight years to not less than one year and not more than eight years.