
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)]

HB 279 Original

2018 Regular Session

Marino

Abstract: Expands the eligibility requirements for reentry programs.

Present law provides for the creation of workforce development sentencing programs by the reentry division court. Present law requires the defendant to meet eligibility requirements for participation in the Offender Rehabilitation and Workforce Development Program. Under the program, the court makes a determination of whether participation in the program is in the best interest of the community and the defendant. Participants must not have been charged with a crime that resulted in the death of a person or a sentence that exceeds 10 years or more.

Proposed law allows defendants to participate in reentry courts if the crime is not considered a crime of violence under R.S. 14:2(B); however, a defendant with a first conviction of a crime with a maximum prison sentence of 10 years or less that was not committed against a family or household member, dating partner, or domestic abuse battery that is punishable by imprisonment at hard labor are allowed to participate. The participating defendant is not eligible for parole or the ability to earn "good time" or "good time" credits. Additionally, the district attorney has the ability to make a written recommendation to the court that a crime not be designated as a crime of violence in order for the defendant to become eligible to participate in the Offender Rehabilitation and Workforce Development Program.

(Amends R.S. 13:5401(B)(1); Adds R.S. 13:5401(B)(3)(d) and C.Cr.P. Art. 890.3(A)(3))