
DIGEST

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HB 279 Engrossed

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 or dating partner may be eligible 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))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Remove the offense of domestic abuse battery as a permissible exception.