

2018 Regular Session

SENATE BILL NO. 410

BY SENATOR WHITE

SEX OFFENSES. Provides relative to early release of offenders for "good time" and parole.
(gov sig)

1 AN ACT

2 To enact R.S. 15:571.3(F) and 574.4(I), relative to diminution of sentence for good behavior
3 and parole; to provide for a report to the legislature relative to offenders released for
4 "good time"; to provide for a report to the legislature relative to offenders released
5 on parole; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:571.3(F) and 574.4(I) are hereby enacted to read as follows:

8 §571.3. Diminution of sentence for good behavior

9 * * *

10 **F. No later than August first of each year, the Department of Public**
11 **Safety and Corrections shall submit an annual report to the legislature relative**
12 **to offenders released from custody during the preceding fiscal year pursuant to**
13 **the provisions of this Section. This report shall include the following**
14 **information:**

15 **(1) The name and offender number of the released offender.**

16 **(2) The date on which the offender was released.**

17 **(3) The offense for which the offender was incarcerated at the time of his**

1 release, including whether the offense was a crime of violence as defined in R.S.
2 14:2(B) or a sex offense as defined in R.S. 15:541.

3 (4) The earliest date on which the offender would have been eligible for
4 release notwithstanding the provisions of Section 3 of Act 280 of the 2017
5 Regular Session.

6 (5) Whether the offender obtained a GED certification or completed a
7 literacy program, an adult basic education program, or a job skills training
8 program before being released from custody.

9 (6) Any information relative to juvenile offenders that is exempt from
10 release pursuant to a public records request or otherwise considered
11 confidential by law shall be redacted from the report provided for by this
12 Subsection.

13 * * *

14 §574.4. Parole; eligibility; juvenile offenders

15 * * *

16 I. On or before August 1, 2018, and no later than August first of each
17 year following, the Department of Public Safety and Corrections shall submit
18 an annual report to the legislature relative to offenders released from custody
19 during the preceding year pursuant to the provisions of this Section. This report
20 shall include the following information:

21 (1) The name and offender number of the paroled offender.

22 (2) The date on which the offender was released on parole.

23 (3) The offense for which the offender was incarcerated at the time of his
24 release, including whether the offense was a crime of violence as defined in R.S.
25 14:2(B) or a sex offense as defined in R.S. 15:541.

26 (4) The earliest date on which the offender would have been eligible for
27 parole notwithstanding the provisions of Section 3 of Act 280 of the 2017
28 Regular Session.

29 (5) Whether the offender obtained a GED certification or completed a

1 **literacy program, an adult basic education program, or a job skills training**
 2 **program before being paroled.**

3 **(6) Any information relative to juvenile offenders that is exempt from**
 4 **release pursuant to a public records request or otherwise considered**
 5 **confidential by law shall be redacted from the report provided for by this**
 6 **Subsection.**

7 Section 2. This Act shall become effective upon signature by the governor or, if not
 8 signed by the governor, upon expiration of the time for bills to become law without signature
 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 11 effective on the day following such approval.

The original instrument was prepared by Alden A. Clement, Jr. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

DIGEST

SB 410 Reengrossed 2018 Regular Session White

Present law provides relative to early release of certain offenders on the basis of "good time" and parole, including the criteria for earning "good time", eligibility for parole, and exceptions to present law for offenders convicted of crimes of violence and sex offenses under certain circumstances.

Proposed law retains present law.

Proposed law provides that no later than August first of each year, the Dept. of Public Safety and Corrections is to submit an annual report to the legislature relative to offenders released from custody during the preceding fiscal year pursuant to the provisions of present law relative to "good time". Proposed law further provides that this report must include the following information:

- (1) The name and offender number of the released offender.
- (2) The date on which the offender was released.
- (3) The offense for which the offender was incarcerated at the time of his release, including whether the offense was a crime of violence or a sex offense as defined in present law.
- (4) The earliest date on which the offender would have been eligible for release notwithstanding the provisions of Section 3 of Act 280 of the 2017 Regular Session.
- (5) Whether the offender obtained a GED certification or completed a literacy program, an adult basic education program, or a job skills training program before being released from custody.

- (6) Any information relative to juvenile offenders that is exempt from release pursuant to a public records request or otherwise considered confidential by present law is to be redacted from the report provided for by proposed law.

Proposed law provides that on or before August 1, 2018, and no later than August first of each year following, the Dept. of Public Safety and Corrections is to submit an annual report to the legislature relative to offenders released from custody during the preceding year on parole pursuant to the provisions of present law. Proposed law further provides that this report must include the following information:

- (1) The name and offender number of the paroled offender.
- (2) The date on which the offender was released from custody on parole.
- (3) The offense for which the offender was incarcerated at the time of his release, including whether the offense was a crime of violence or a sex offense as defined in present law.
- (4) The earliest date on which the offender would have been eligible for parole notwithstanding the provisions of Section 3 of Act 280 of the 2017 Regular Session.
- (5) Whether the offender obtained a GED certification or completed a literacy program, an adult basic education program, or a job skills training program before being paroled.
- (6) Any information relative to juvenile offenders that is exempt from release pursuant to a public records request or otherwise considered confidential by present law is to be redacted from the report provided for by proposed law.

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

(Adds R.S. 15:571.3(F) and 574.4(I))

Summary of Amendments Adopted by Senate

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

1. Provide for redaction of certain information from proposed law report.

Senate Floor Amendments to engrossed bill

1. Legislative Bureau technical amendments.