

2021 Regular Session

HOUSE BILL NO. 271

BY REPRESENTATIVE MARCELLE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CORRECTIONS: Provides for a Transitional Residential Pilot Program for female offenders

1 AN ACT

2 To enact R.S. 15:828.4, relative to the Department of Public Safety and Corrections; to
3 create the Transitional Residential Pilot Program for female offenders; to provide for
4 eligibility for the program; to provide relative to the transfer of eligible female
5 offenders; to provide for a termination date; to provide relative to funding and
6 resources; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:828.4 is hereby enacted to read as follows:

9 §828.4. Transitional Residential Pilot Program for female offenders; establishment

10 A. The legislature hereby finds that successful offender reentry and
11 reintegration into the community is a matter of critical importance to the safety of
12 the public, but reentry can be very challenging due to the barriers former offenders
13 face upon release. Those barriers include but are not limited to a lack of education
14 and job skills, employment prohibition in certain occupations, mental health and
15 substance abuse problems, access to valid identification documents, child support
16 enforcement regulations, access to public housing and other public benefits, and
17 strained or fragile family and community ties. Without successful reentry into the
18 community, recidivism is likely to occur, causing detrimental effects to public safety,
19 communities, families, taxpayers, and former offenders. Transitional residential
20 programs can help to facilitate successful reentry for people being released from

1 prison by providing a transitional readjustment phase through a structured,
2 supervised, and less restrictive residential environment that enables a person to
3 gradually rebuild their ties to the community prior to being released from custody.
4 Transitional residential programs further facilitate successful reentry by providing
5 access to services such as employment counseling, job placement, financial
6 management assistance, and other programs and services.

7 B. Subject to the availability of funds and appropriate resources, the
8 Department of Public Safety and Corrections is hereby authorized to create a
9 Transitional Residential Pilot Program for females in prison, which shall facilitate
10 the successful reintegration of female offenders into the community.

11 C. The secretary of the Department of Public Safety and Corrections is
12 hereby authorized to transfer a female offender eligible for the Transitional
13 Residential Pilot Program, insofar as the transfer is in accordance with the custody
14 level, security, supervision, and restrictions on movement established by the
15 department to carry out the function and purpose of such transitional residential
16 program and to provide a safe, structured, and supervised transitional environment.

17 D. A female offender shall be eligible for consideration for the program if
18 all of the following conditions are met:

19 (1) The offender is willing to participate in the program.

20 (2) The offender has no convictions of a sex offense as defined by R.S.
21 15:541.

22 (3) The offender is within two years of her projected release date.

23 (4) The offender has not committed any major disciplinary offenses in the
24 two years prior to her release date. A major disciplinary offense is an offense
25 identified as a Schedule B offense by the Department of Public Safety and
26 Corrections in the Disciplinary Rules and Procedures for Adult Offenders.

27 (5) The offender has obtained a low-risk level designation determined by a
28 validated risk assessment instrument approved by the secretary of the Department

1 of Public Safety and Corrections and has received approval from the warden for
2 participation in the program.

3 E. The pilot program shall conclude on August 1, 2024, unless the legislature
4 extends this date or establishes a similar program prior to that date.

5 F. The provisions of this Section shall be implemented only to the extent that
6 funds are appropriated for this purpose and to the extent that is consistent with
7 available resources.

8 G. The Department of Public Safety and Corrections shall adopt rules and
9 regulations in accordance with the Administrative Procedure Act to implement the
10 provisions of this Section.

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 271 Reengrossed

2021 Regular Session

Marcelle

Abstract: Creates the Transitional Residential Pilot Program for female offenders.

Proposed law authorizes the Dept. of Public Safety and Corrections to create the Transitional Residential Pilot Program for female offenders, subject to the availability of funds and appropriate resources.

Proposed law authorizes the secretary of the department to transfer a female offender eligible for the Transitional Residential Pilot Program as long as the transfer is in accordance with the custody level, security, supervision, and restrictions on movement established by the department to carry out the function and purpose of such transitional residential program and to provide a safe, structured, and supervised transitional environment.

Proposed law provides that a female offender is eligible for consideration for the program if all of the following conditions are met:

- (1) The offender is willing to participate in the program.
- (2) The offender has no convictions of a sex offense.
- (3) The offender is within two years of their projected release date.
- (4) The offender has not committed any major disciplinary offenses in the two years prior to their release date.
- (5) The offenders has obtained a low-risk level designation determined by a validated risk-assessment instrument and has received approval from the warden for participation in the program.

Proposed law provides that the pilot program shall conclude on Aug. 1, 2024, unless the legislature extends the date or establishes a similar program prior to that date.

Proposed law further provides that implementation of the program is subject to appropriation.

Proposed law requires the Dept. of Public Safety and Corrections to adopt rules and regulations in accordance with the Administrative Procedure Act.

(Adds R.S. 15:828.4)