

2021 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 101

BY REPRESENTATIVE JAMES

CRIMINAL/SENTENCING: Creates a commission to study the procedures for processing felony sentences and calculating incarceration release dates of persons in the custody of the Department of Public Safety and Corrections

1                                   A CONCURRENT RESOLUTION

2    To create and establish the Incarceration Release Date Commission to study the procedures  
3            for processing sentences imposed after a criminal conviction and the procedures for  
4            calculating incarceration release dates of those persons committed to the custody of  
5            the Department of Public Safety and Corrections, and to report the findings of the  
6            commission to the legislature prior to the convening of the 2022 Regular Session of  
7            the Legislature of Louisiana.

8            WHEREAS, under Louisiana law there are a number of factors that may impact the  
9    sentence of a person convicted of a criminal offense, including but not limited to eligibility  
10   for probation, parole, and earned compliance credits and eligibility for diminution of  
11   sentence for good behavior or credits for participation in certain programs; and

12           WHEREAS, the application of these factors is not uniform as each year the  
13   legislature makes changes to these laws and the version of the law that applies to a particular  
14   person often times depends upon the law in effect at the time the crime was committed or  
15   at the time the person was convicted or sentenced; and

16           WHEREAS, the Department of Public Safety and Corrections is the state agency  
17   responsible for the custody and care of approximately thirty-five thousand adult offenders  
18   and is the agency tasked with calculating the length of the offender's sentence, taking into  
19   account the various factors that impact the length of the sentence; and

1           WHEREAS, with more than half of that population being housed in various parish  
2 facilities and work release centers across the state, and the remainder being housed in the  
3 state's nine correctional facilities, it is important for the Department of Public Safety and  
4 Corrections to have centralized, accurate, and up-to-date information on all of the offenders  
5 committed to its custody; and

6           WHEREAS, in 2017, the legislative auditor evaluated the Department of Public  
7 Safety and Corrections' management of offender data, including processes for ensuring the  
8 accuracy of that data; and

9           WHEREAS, in the audit, the legislative auditor recognized the efforts of legislators  
10 and criminal justice stakeholders in working toward prison reform and stated that the success  
11 of these reform efforts is largely dependent upon having accurate and complete information  
12 on Louisiana's offender population; and

13           WHEREAS, it is important for the Department of Public Safety and Corrections to  
14 have strong policies and procedures to effectively manage offender data, to track offender  
15 locations, to calculate offender release dates, and to ensure the accuracy of this information.

16           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
17 create the Incarceration Release Date Commission to study the procedures for processing  
18 sentences imposed after a criminal conviction and the procedures for calculating  
19 incarceration release dates of those persons committed to the custody of the Department of  
20 Public Safety and Corrections, and to report the findings of the commission to the legislature  
21 prior to the convening of the 2022 Regular Session of the Legislature of Louisiana.

22           BE IT FURTHER RESOLVED that the study commission shall be comprised of the  
23 following members:

24           (1) The chairman of House Committee on Administration of Criminal Justice, or his  
25 designee.

26           (2) One member of the House Committee on Administration of Criminal Justice,  
27 appointed by the chairman.

28           (3) The chairman of the Senate Committee on Judiciary B, or his designee.

29           (4) The Chairman of the Senate Committee on Judiciary C, or his designee.

30           (5) A representative from the Louisiana Sheriffs' Association.

1 (6) A representative from the Louisiana District Judges Association.

2 (7) A representative from the Louisiana Clerks of Court Association.

3 (8) A representative from the Department of Public Safety and Corrections.

4 (9) A representative from Louisiana Public Defender Board.

5 (10) A representative from the Louisiana District Attorneys Association.

6 BE IT FURTHER RESOLVED that the commission may seek input, information,  
7 and data from any persons, agencies, entities, or stakeholders that it deems necessary to  
8 fulfill the purposes of this Resolution.

9 BE IT FURTHER RESOLVED that the Department of Public Safety and Corrections  
10 shall provide staff support to the commission

11 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
12 executive director of the Louisiana Sheriffs' Association, the president of the Louisiana  
13 District Judges Association, the executive director of the Louisiana Clerks of Court  
14 Association, the secretary of the Department of Public Safety and Corrections, the chairman  
15 of the Louisiana Public Defender Board, and the executive director of the Louisiana District  
16 Attorneys Association.

17 BE IT FURTHER RESOLVED that the Incarceration Release Date Commission  
18 shall submit one print copy and one electronic copy of any report produced pursuant to this  
19 Resolution to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

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#### 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)]

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HCR 101 Original

2021 Regular Session

James

Creates the Incarceration Release Date Commission to study the procedures for processing sentences imposed after a criminal conviction and the procedures for calculating incarceration release dates of those persons committed to the custody of the Dept. of Public Safety and Corrections, and to report the findings of the commission to the La. legislature prior to the convening of the 2022 R.S.