

2021 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 101

BY REPRESENTATIVE JAMES

A CONCURRENT RESOLUTION

To create and establish 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 Department of Public Safety and Corrections, and to report the findings of the commission to the legislature prior to the convening of the 2022 Regular Session of the Legislature of Louisiana.

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

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

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

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

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

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

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

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby create 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 Department of Public Safety and Corrections, and to report the findings of the commission to the legislature prior to the convening of the 2022 Regular Session of the Legislature of Louisiana.

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

- (1) The chairman of House Committee on Administration of Criminal Justice, or his designee.
- (2) One member of the House Committee on Administration of Criminal Justice, appointed by the chairman.
- (3) The chairman of the Senate Committee on Judiciary B, or his designee.
- (4) The chairman of the Senate Committee on Judiciary C, or his designee.
- (5) A representative from the Louisiana Sheriffs' Association.
- (6) A representative from the Louisiana District Judges Association.
- (7) A representative from the Louisiana Clerks of Court Association.
- (8) A representative from the Department of Public Safety and Corrections.
- (9) A representative from Louisiana Public Defender Board.
- (10) A representative from the Louisiana District Attorneys Association.
- (11) A representative from Voice of the Experienced.

(12) A representative from Louisiana Parole Project.

(13) A representative from Southern Poverty Law Center.

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

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

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the executive director of the Louisiana Sheriffs' Association, the president of the Louisiana District Judges Association, the executive director of the Louisiana Clerks of Court Association, the secretary of the Department of Public Safety and Corrections, the chairman of the Louisiana Public Defender Board, the executive director of the Louisiana District Attorneys Association, the director of Voice of the Experienced, the director of Louisiana Parole Project, and the director of Southern Poverty Law Center.

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE