

2022 Regular Session

HOUSE BILL NO. 893

BY REPRESENTATIVE HUGHES

BUDGETARY PROCEDURES: Provides relative to criminal justice reinvestment savings and reporting requirements

1 AN ACT

2 To amend and reenact R.S. 15:827.2(A)(2) and (3) and 827.3 and to repeal R.S.
3 15:827.2(D)(7), relative to the Department of Public Safety and Corrections; to
4 provide with respect to reporting of financial and other impacts of criminal justice
5 reinvestment legislation; to provide with respect to the calculation and allocation of
6 savings attributable to such legislation; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:827.2(A)(2) and (3) and 827.3 are hereby amended and reenacted
9 to read as follows:

10 §827.2. Data collection and reporting requirements; report to criminal justice
11 committees

12 A.

13 * * *

14 (2) The department shall ~~provide the information described in Subsection D~~
15 ~~of this Section to the Joint Legislative Committee on the Budget and the~~
16 ~~commissioner of administration by June 30, 2018, and shall provide updated~~
17 ~~information annually thereafter~~ submit a report to the House Committee on the
18 Administration of Criminal Justice and the Senate Committee on Judiciary B no later
19 than June thirtieth of each year. The report shall contain all information provided for
20 in Subsection D of this Section.

1 (3) The department shall make the ~~information described in Paragraphs~~
2 ~~(D)(1) through (6) of this Section~~ annual report publicly available by ~~June 30, 2018;~~
3 ~~and shall update the information annually thereafter~~ June thirtieth each year.

4 * * *

5 §827.3. Savings attributable to criminal justice reforms; data collection and
6 reporting requirements to the Joint Legislative Committee on the Budget

7 A.(1) At the end of each fiscal year, the Department of Public Safety and
8 Corrections shall ~~provide to the commissioner of administration and to the Joint~~
9 ~~Legislative Committee on the Budget a statement of calculated~~ calculate the annual
10 savings realized as a result of ~~reforms to the criminal justice system~~ reinvestment
11 legislation enacted in the 2017 Regular Session of the Legislature and thereafter. For
12 Fiscal Year ~~2017-2018,~~ ~~seventy percent of the savings shall be deemed a bona fide~~
13 ~~obligation of the state and shall be allocated by the department according to~~
14 ~~Subsection B of this Section. For Fiscal Year 2018-2019 and each~~

15 (2) Each fiscal year, ~~thereafter,~~ ~~fifty percent of the annual savings shall be~~
16 ~~deemed a bona fide obligation of the state and shall be allocated by the department~~
17 ~~according to Subsection B of this Section and twenty percent of the annual savings~~
18 ~~shall be deemed a bona fide obligation of the state and shall be allocated by the~~
19 ~~department for juvenile justice initiatives and programs.~~

20 B. ~~The amount deemed to be a bona fide obligation pursuant to the~~
21 ~~provisions of Subsection A of this Section, except for the portion required to be~~
22 ~~allocated by the department for juvenile justice initiatives and programs; the annual~~
23 savings shall be allocated as follows:

24 ~~(1) Thirty~~ (a) Fifteen percent shall be allocated to the Department of Public
25 Safety and Corrections to award incentive grants to parishes, judicial districts, and
26 nonprofit community partner organizations to expand evidence-backed prison
27 alternatives and reduce admissions to the state prison system.

28 ~~(2) Twenty~~ (b) Ten percent shall be allocated to the Louisiana Commission
29 on Law Enforcement and the Administration of Criminal Justice to award

1 competitive grants for victim services, including but not limited to victim safety
2 assessments and safety planning, trauma-informed treatment and services for victims
3 and survivors, shelters and transitional housing for domestic violence victims and
4 their children, batterers' intervention programming, and victim-focused education
5 and training for justice system professionals.

6 ~~(3) The remainder~~ (c) Twenty-five percent shall be allocated to the
7 Department of Public Safety and Corrections for targeted investments in reentry
8 services, community supervision, educational and vocational programming,
9 transitional work programs, and contracts with parish jails and other local facilities
10 that house state inmates to incentivize expansion of recidivism reduction
11 programming and treatment services. The Department of Public Safety and
12 Corrections shall utilize the monies allocated pursuant to this Subparagraph to
13 provide educational and vocational programming to no less than fifty percent of
14 eligible individuals each year.

15 (d) Twenty percent shall be allocated to the Department of Public Safety and
16 Corrections for juvenile justice initiatives and programs.

17 (3) Amounts allocated each year pursuant to Paragraph (2) of this Subsection
18 shall be deemed a bona fide obligation of the state.

19 B.(1) The Department of Public Safety and Corrections shall submit a report
20 regarding savings attributable to criminal justice reinvestment legislation to the Joint
21 Legislative Committee on the Budget in the month of July of each year.

22 (2) The report shall include all of the following:

23 (a) The total annual savings and the calculation used to determine the
24 savings pursuant to Subsection A of this Section.

25 (b) The amounts allocated pursuant of this Section and a description of how
26 the funds were used in the immediately preceding fiscal year and each prior fiscal
27 year through Fiscal Year 2014-2015 and how the Department of Public Safety and
28 Corrections plans to use the funds in the current fiscal year.

1 (c) A comparison of the number of individuals eligible for educational and
2 vocational programming, the number of participants in educational and vocational
3 programming, and the total amount expended on the programming from justice
4 reinvestment funds and any additional sources of funds for the immediately
5 preceding fiscal year and each prior fiscal year through Fiscal Year 2014-2015.

6 (d) A comparison of recidivism rates for individuals receiving community-
7 based services, individuals receiving educational and vocational programming, and
8 individuals receiving a combination of community-based services and educational
9 and vocational programming for the immediately preceding fiscal year and each
10 prior fiscal year through Fiscal Year 2014-2015.

11 (e) A comparison of post-incarceration employment rates for individuals
12 who received educational and vocational programming for the immediately
13 preceding fiscal year and each prior fiscal year through Fiscal Year 2014-2015.

14 (3) The department shall provide information required pursuant to this
15 Subsection for all offenders in state facilities, offenders sentenced to the Department
16 of Public Safety and Corrections who are in the custody of the sheriff or other local
17 governing authority, and youth in the custody or under supervision of the Office of
18 Juvenile Justice.

19 Section 2. R.S. 15:827.2(D)(7) is hereby repealed in its entirety.

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 893 Original

2022 Regular Session

Hughes

Abstract: Requires certain reports by the Dept. of Public Safety and Corrections (DPSC) relative to the impacts of criminal justice reform legislation.

Present law requires the DPSC, in conjunction with the La. Commission on Law Enforcement and Administration of Criminal Justice, to collect, track, analyze, forecast, and distribute data relative to prison admissions, sentencing, habitual offender sentencing, parole, community supervision, medical furlough, certified treatment and rehabilitation programs, workforce development programs, and cost savings and reinvestment. Proposed law retains present law.

Present law requires DPSC to annually report to the Joint Legislative Committee on the Budget (JLCB) on the data it collects, including certain specific data analysis including information relative to the population of individuals on probation or parole, prison admissions, certified treatment and rehabilitation programs, workforce development, and reinvestment and savings. Proposed law retains present law's requirements to provide this specific information, but changes the entity DPSC must provide that information to. Requires the analysis of reinvestment and savings data to still be reported to JLCB, but in the month of July each year. Establishes further requirements for this report to JLCB as detailed below. Requires the analysis of probation and parole populations, prison admissions, certified treatment and rehabilitation programs, and workforce development to be submitted to the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary B no later than June 30th of each year.

With respect to the savings attributable to recent criminal justice reform legislation, present law requires DPSC each year to provide to the commissioner of administration and JLCB a statement of calculated annual savings realized as a result of these reforms. Proposed law requires the report to be submitted solely to JLCB.

Present law deems 50% of the annual savings a bona fide obligation of the state and establishes the following allocation for that portion of the savings:

- (1) 30% of the 50% is allocated to DPSC to award incentive grants to parishes, judicial districts, and nonprofit community partner organizations to expand evidence-backed prison alternatives and reduce admissions to the state prison system.
- (2) 20% of the 50% is allocated to the La. Commission on Law Enforcement and the Administration of Criminal Justice to award competitive grants for victim services.
- (3) 50% of the 50% is allocated to DPSC for targeted investments in reentry services, community supervision, educational and vocational programming, transitional work programs, and contracts with parish jails and other local facilities that house state inmates to incentivize expansion of recidivism reduction programming and treatment services.

Present law deems an additional 20% of the total annual savings a bona fide obligation of the state and allocates the amount to DPSC for juvenile justice initiatives and programs.

Proposed law retains present law but bases the percentage on the total amount of savings instead of the bonafide amounts as follows:

- (1) 20% to DPSC for juvenile justice initiatives and programs.
- (2) 15% to DPSC to award incentive grants to parishes, judicial districts, and nonprofit community partner organizations to expand evidence-backed prison alternatives and reduce admissions to the state prison system.
- (3) 10% to the La. Commission on Law Enforcement and the Administration of Criminal Justice to award competitive grants for victim services.
- (4) 25% to DPSC for targeted investments in reentry services, community supervision, educational and vocational programming, transitional work programs, and contracts with parish jails and other local facilities that house state inmates to incentivize expansion of recidivism reduction programming and treatment services. Proposed law additionally requires DPSC to use such funds for educational and vocational programming for no less than 50% of eligible individuals each year.

Proposed law retains present law's requirement that 70% of the annual savings be deemed a bona fide obligation of the state.

As previously noted, proposed law requires DPSC to submit a report each year to JLCB regarding the savings from criminal justice reform legislation. Proposed law requires the report to contain information on all offenders in state facilities, offenders sentenced to DPSC who are in the custody of the sheriff or other local governing authority, and youth in the custody or under supervision of the Office of Juvenile Justice for each of the following topics:

- (1) The total annual savings and the calculation used to determine the savings pursuant to proposed law.
- (2) The amounts allocated pursuant to proposed law and present law and a description of how DPSC has used the funds in past fiscal years through FY 2014-2015 and how it plans to use the funds in the current fiscal year.
- (3) A comparison of the number of individuals eligible for educational and vocational programming, the number of participants in educational and vocational programming, and the total amount expended on the programming from justice reinvestment funds and any additional sources of funds for the immediately preceding fiscal year and each prior fiscal year through FY 2014-2015.
- (4) A comparison of recidivism rates for individuals receiving community-based services, individuals receiving educational and vocational programming, and individuals receiving a combination of community-based services and educational and vocational programming for the immediately preceding fiscal year and each prior fiscal year through FY 2014-2015.
- (5) A comparison of post-incarceration employment rates for individuals who received educational and vocational programming for the immediately preceding fiscal year and each prior fiscal year through FY 2014-2015.

(Amends R.S. 15:827.2(A)(2) and (3) and 827.3; Repeals R.S. 15:827.2(D)(7))