

2016 Regular Session

HOUSE BILL NO. 690

BY REPRESENTATIVE JACKSON

PARDON/PAROLE: Creates a presumption in favor of parole eligibility

1 AN ACT

2 To enact R.S. 15:574.3.1, relative to parole; to create a presumption of parole eligibility; to
3 provide for criteria for the presumption; to provide for the granting of parole without
4 the necessity of a parole hearing in certain cases; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:574.3.1 is hereby enacted to read as follows:

7 §574.3.1. Presumption of parole eligibility

8 A. Notwithstanding any other provision of law to the contrary, a person who
9 is otherwise eligible for parole shall be deemed to be eligible for parole if all of the
10 following apply:

11 (1) The offender has served the requisite amount of the sentence imposed to
12 be eligible for parole pursuant to the provisions of R.S. 15:574.4.

13 (2) The offender has not committed any major disciplinary offenses in the
14 twelve consecutive months prior to the parole eligibility date. A major disciplinary
15 offense is an offense identified as a Schedule B offense by the Department of Public
16 Safety and Corrections in the Disciplinary Rules and Procedures for Adult Offenders.

17 (3) The offender has completed the mandatory minimum of one hundred
18 hours of prerelease programming in accordance with R.S. 15:827.1.

19 (4) The offender has completed substance abuse treatment as applicable.

1 (5) The offender has obtained a GED certification, unless the offender has
2 previously obtained a high school diploma or is deemed by a certified educator as
3 being incapable of obtaining a GED certification due to a learning disability. If the
4 offender is deemed incapable of obtaining a GED certification, the offender shall
5 complete at least one of the following:

6 (a) A literacy program.

7 (b) An adult basic education program.

8 (c) A job skills training program.

9 (6) The offender has obtained a low-risk level designation determined by a
10 validated risk assessment instrument approved by the secretary of the Department
11 of Public Safety and Corrections.

12 (7) The offender has completed a reentry program to be determined by the
13 Department of Public Safety and Corrections.

14 B. Any person who meets the criteria provided for in Subsection A of this
15 Section shall be released from incarceration without the necessity of a parole hearing
16 or a determination by the committee on parole.

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 690 Original

2016 Regular Session

Jackson

Abstract: Provides for a presumption of parole eligibility.

Proposed law provides for a presumption of parole and a release from incarceration without the necessity of a parole hearing if all the following apply:

- (1) The offender has served the requisite amount of the sentence imposed to be eligible for parole.
- (2) The offender has not committed any major disciplinary offenses in the 12 months prior to the parole eligibility date.
- (3) The offender has completed the mandatory minimum of 100 hours of prerelease programming.
- (4) The offender has completed substance abuse treatment as applicable.

- (5) The offender has obtained a GED certification, unless the offender has previously obtained a high school diploma or is deemed by a certified educator as being incapable of obtaining a GED certification due to a learning disability.
- (6) The offender has obtained a low-risk level designation determined by a validated risk assessment instrument approved by the secretary of the Dept. of Public Safety and Corrections.
- (7) The offender has completed a reentry program to be determined by the DPS&C.

(Adds R.S. 15:574.3.1)