DIGEST

SB 367 Original   2016 Regular Session   Claitor

Present law provides that any person serving a sentence of life imprisonment for a conviction of first degree murder or second degree murder who was under the age of 18 at the time of the commission of the offense shall be eligible for parole consideration if a judicial determination has been made that the person is entitled to parole eligibility and all of the following conditions have been met:

(1)   The offender has served 35 years of the sentence imposed.

(2)   The offender has not committed any disciplinary offenses in the 12 consecutive months prior to the parole eligibility date.

(3)   The offender has completed a minimum of 100 hours of prerelease programming.

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

(5)   The offender has obtained a GED or, in certain circumstances, has completed a literacy program, an adult basic education program, or a job skills training program.

(6)   The offender has obtained a low-risk level designation determined by a validated risk assessment instrument approved by the secretary of DPS&C.

(7)   The offender has completed a reentry program to be determined by DPS&C.

Proposed law retains present law and provides identical provisions if the conviction became final prior to June 25, 2012 and the same conditions in present law were met without requiring a judicial determination of that person's parole eligibility.

Present law provides that for such parole decisions, the board shall meet in a three-member panel and each member of the panel shall be provided with and shall consider a written evaluation of the offender by a person who has expertise in adolescent brain development and behavior and any other relevant evidence pertaining to the offender.

Present law requires the panel to render specific findings of fact in support of its decision.

Proposed law retains present law and applies identical requirements for parole hearings and decisions under proposed law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 15:574.4(F) and (G))