

2017 Regular Session

HOUSE BILL NO. 489

BY REPRESENTATIVES LEGER, AMEDEE, BAGNERIS, BILLIOT, BOUIE, CARPENTER, GARY CARTER, COX, GAINES, GISCLAIR, GLOVER, HALL, JIMMY HARRIS, HOFFMANN, HORTON, HUNTER, JACKSON, JAMES, JEFFERSON, JENKINS, JOHNSON, JORDAN, TERRY LANDRY, LYONS, MARCELLE, MARINO, MORENO, NORTON, PIERRE, SMITH, THIBAUT, AND WHITE

1 AN ACT

2 To enact R.S. 15:827.2 and 827.3, relative to the reinvestment of savings realized from  
3 criminal justice reforms; to require the Department of Public Safety and Corrections  
4 to collect and make available certain information and data relative to the prison and  
5 community supervision population; to authorize the Department of Public Safety and  
6 Corrections to promulgate rules and regulations; to provide guidelines on the type  
7 of information and data to be collected; to provide relative to the calculation of  
8 savings realized by the Department of Public Safety and Corrections; to require the  
9 reinvestment of a portion of the savings realized; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 15:827.2 and 827.3 are hereby enacted to read as follows:

12 §827.2. Data collection and reporting requirements

13 A.(1) In addition to other duties imposed upon the Department of Public  
14 Safety and Corrections, it shall be the duty of the department, in conjunction with the  
15 Louisiana Commission on Law Enforcement and Administration of Criminal Justice,  
16 to collect, track, analyze, forecast, and distribute data relative to prison admissions,  
17 sentencing, habitual offender sentencing, parole, community supervision, medical  
18 furlough, certified treatment and rehabilitation programs, workforce development  
19 work release programs, and cost savings and reinvestment.

20 (2) The department shall provide the information described in Subsection D  
21 of this Section to the Joint Legislative Committee on the Budget and the  
22 commissioner of administration by June 30, 2018, and shall provide updated  
23 information annually thereafter.

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

4           B. The department may enter into a cooperative endeavor agreement or  
5           memorandum of understanding with a third-party provider to assist with the  
6           collection, tracking, analysis, forecasting, and distribution of the data and  
7           information collected pursuant to the provisions of this Section.

8           C. The department is authorized to adopt rules or regulations necessary to  
9           implement the provisions of this Section.

10          D. The information collected by the department, in conjunction with the  
11          Louisiana Commission on Law Enforcement and Administration of Criminal Justice,  
12          shall include but not be limited to the following:

13           (1) With respect to prison admissions: the total prison population and the  
14           total number of individuals admitted to prison by offense type, type of admission,  
15           prior criminal history, and, if measured upon intake, by risk assessment score and  
16           risk assessment tool.

17           (2) With respect to parole and release from prison: the average length of  
18           stay in prison organized by offense type and by type of admission, the total number  
19           of individuals released from prison organized by type of release, the total number of  
20           parole hearings held, and the recidivism rate of individuals released from prison.

21           (3) With respect to the population of individuals on probation or parole  
22           supervision: the total number of supervision intakes by offense type and by risk  
23           assessment score, the average sentence length for persons on probation by offense  
24           type, and the total number of supervision discharges by discharge type.

25           (4) With respect to those individuals on probation or parole supervision who  
26           violate a condition of their release or commit a new offense: the average amount of  
27           time credited to either their suspended sentence or the remainder of their sentence  
28           from time spent on supervision, the average amount of time credited to either their  
29           suspended sentence or the remainder of their sentence from time spent awaiting trial  
30           pre-revocation, the total number of non-jail administrative sanctions administered,

1 and the total number of, and average length of stay in jail for, administrative jail  
2 sanctions issued.

3 (5) With respect to certified treatment and rehabilitation programs (CTRP),  
4 pursuant to R.S. 15:828: the total number of individuals who are awarded earned  
5 credits from CTRP, the percentage of eligible individuals who are awarded earned  
6 credits from CTRP, the average amount of credits individuals earn from CTRP, and  
7 the number of certified treatment and rehabilitation programs offered at facilities  
8 housing inmates under the custody of the Department of Public Safety and  
9 Corrections.

10 (6) With respect to workforce development work release program, pursuant  
11 to R.S. 15:711, 1111, and 1199.9: the total number of individuals who participate  
12 in a workforce development work release program, the percentage of eligible  
13 individuals who participate in a workforce development work release program, and  
14 the average amount of awarded earned credits for participation in a workforce  
15 development work release program.

16 (7) With respect to reinvestment and savings: the total amount of annual  
17 savings achieved as a result of legislation relative to the criminal justice system  
18 enacted in the 2017 Regular Session of the Legislature and thereafter, the total  
19 amount of funds deemed a bona fide obligation pursuant to R.S. 15:827.3, and the  
20 entities that received reinvestment funds, the dollar amounts directed to each, and a  
21 description of how the funding was used.

22 §827.3. Savings attributable to criminal justice reforms

23 A. At the end of each fiscal year, the Department of Public Safety and  
24 Corrections shall provide to the commissioner of administration and to the Joint  
25 Legislative Committee on the Budget a statement of calculated annual savings  
26 realized as a result of reforms to the criminal justice system. For Fiscal Year 2017-  
27 2018, seventy percent of the savings shall be deemed a bona fide obligation of the  
28 state and shall be allocated by the department according to Subsection B of this  
29 Section. For Fiscal Year 2018-2019 and each fiscal year thereafter, fifty percent of  
30 the annual savings shall be deemed a bona fide obligation of the state and shall be

1 allocated by the department according to Subsection B of this Section and twenty  
2 percent of the annual savings shall be deemed a bona fide obligation of the state and  
3 shall be allocated by the department for juvenile justice initiatives and programs.

4 B. The amount deemed to be a bona fide obligation pursuant to the  
5 provisions of Subsection A of this Section, except for the portion required to be  
6 allocated by the department for juvenile justice initiatives and programs, shall be  
7 allocated as follows:

8 (1) Thirty percent shall be allocated to the Department of Public Safety and  
9 Corrections to award incentive grants to parishes, judicial districts, and nonprofit  
10 community partner organizations to expand evidence-backed prison alternatives and  
11 reduce admissions to the state prison system.

12 (2) Twenty percent shall be allocated to the Louisiana Commission on Law  
13 Enforcement and the Administration of Criminal Justice to award competitive grants  
14 for victim services, including but not limited to victim safety assessments and safety  
15 planning, trauma-informed treatment and services for victims and survivors, shelters  
16 and transitional housing for domestic violence victims and their children, batterers'  
17 intervention programming, and victim-focused education and training for justice  
18 system professionals.

19 (3) The remainder shall be allocated to the Department of Public Safety and  
20 Corrections for targeted investments in reentry services, community supervision,  
21 educational and vocational programming, transitional work programs, and contracts  
22 with parish jails and other local facilities that house state inmates to incentivize  
23 expansion of recidivism reduction programming and treatment services.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_