

Present law provides for parole eligibility for offenders convicted of a crime of violence upon serving 85% of the sentence imposed.

Proposed law would have amended present law to provide parole eligibility for these offenders upon serving 75% of the sentence imposed, and would have provided for prospective application of this provision of proposed law to apply only those persons convicted on or after the effective date of the proposed law.

Present law provides that a unanimous vote of the committee on parole is required to grant parole for any person convicted of a crime of violence.

Present law provides that the committee on parole may grant parole with a majority vote for non-violent, non-sex offenders when certain conditions are met.

Proposed law would have amended present law to authorize the granting of parole by majority vote for a person convicted of a crime of violence when the conditions set forth in present law are met, including completion of at least 100 hours of a reentry preparation program as provided by present law.

Proposed law would have repealed the provision of present law which prohibits persons convicted of a crime of violence from being eligible to participate in the reentry preparation program and thus making such persons eligible for the granting of parole by majority vote.

Proposed law would have provided that these proposed law provisions regarding the majority vote and eligibility to participate in reentry preparation programs for persons convicted of a crime of violence are prospective and are only applicable to persons convicted on or after the effective date of proposed law.

Proposed law would have created the Programs to Reduce Recidivism Fund which would have been administered by the La. Commission on Law Enforcement and the Administration of Criminal Justice and the Dept. of Public Safety and Corrections for the following purposes:

- (1) To defray the operational expenses of probation and parole and reentry initiatives.
- (2) To assist in establishing and reimbursing the operational expenses of local corrections rehabilitative programs.

Proposed law would have provided that any savings realized from the proposed law reduction in the amount of time a person convicted of a crime of violence is required to serve prior to being eligible for parole consideration shall be appropriated into the fund.

(Proposed to amend R.S. 15:574.2(C)(2)(a) and 574.4(B)(1); Proposed to add R.S. 15:824.2; Proposed to repeal R.S. 15:827.1(E)(3)(b))

**VETO MESSAGE:** "House Bill No. 1255 would allow criminals convicted of certain crimes of violence to become eligible for parole at a significantly earlier date and lower the bar for Parole Board approval for such parole. These crimes include: Solicitation for murder; Manslaughter; Aggravated battery; Second degree battery; Aggravated assault; Mingling harmful substances; Forcible rape; Intentional exposure to AIDS virus; Second degree kidnapping; Simple kidnapping; Aggravated arson; Aggravated criminal damage to property; Aggravated burglary; Simple robbery; Purse snatching; Extortion; Assault by drive-by shooting; Terrorism; Aggravated second degree battery; Aggravated assault upon a peace officer with a firearm; Aggravated assault with a firearm; Second degree robbery; Disarming of a peace officer; Stalking; Aggravated flight from an officer; Aggravated incest (with an adult); and Human trafficking (with an adult).

The expansion in parole eligibility authorized by this bill is outside the range used by many other states. Furthermore, the current unanimous vote requirement is an effort to best ensure that these types of offenders are qualified and prepared to re-enter into society under supervision. Reducing the veto requirement weakens the current mechanism in place designed to protect Louisiana citizens and reduce the risk of reoffending.

Louisiana has made many strides in sentencing reform over the last few years, prioritizing drug treatment for nonviolent, non sex offenders whose addiction is at the root of their offense, streamlining how good time is calculated to simplify and ensure accuracy, and accelerating parole eligibility for nonviolent, non sex offenders. Indeed, this year, I signed HB 732 by Rep. Jackson, which extends the sentencing hinge to some crimes of violence that could occur without a violent act, and HB 681 by Rep. Ledricka Thierry, which removes low level marijuana offenses from what is considered a violation of probation or parole. But to lower the bar for release of offenders who have committed violent crimes like Forcible Rape, Manslaughter, and Human Trafficking is a step too far that could put our citizens at risk. For these reasons, I have vetoed House Bill No. 1255 and hereby return it to the House."