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2019 Regular Session

HOUSE CONCURRENT STUDY REQUEST NO. 3

BY REPRESENTATIVE JACKSON

CRIMINAL/SENTENCING: Requests a study of the procedures for processing felony sentences and calculating incarceration release dates of persons in the custody of DPS&C

A CONCURRENT STUDY REQUEST

2 To authorize and request the House Committee on Judiciary, or a subcommittee thereof, the 3 House Committee on Administration of Criminal Justice, or a subcommittee thereof, 4 the Senate Committee on Judiciary B, or a subcommittee thereof, and the Senate 5 Committee on Judiciary C, or a subcommittee thereof, to meet and to function as a 6 joint committee to study the procedures for processing sentences imposed after a 7 criminal conviction and the procedures for calculating incarceration release dates as 8 they relate to those persons committed to the custody of the Department of Public 9 Safety and Corrections, and to report the findings of the joint committee to the 10 legislature prior to the convening of the 2020 Regular Session of the Legislature of 11 Louisiana.

WHEREAS, under Louisiana law, there are a number of factors that may impact the sentence of a person convicted of a criminal offense, including but not limited to eligibility for probation, parole, and earned compliance credits and eligibility for diminution of sentence for good behavior or credits for participation in certain programs; and

WHEREAS, the application of these factors is not uniform as each year the legislature makes changes to these laws and the version of the law that applies to a particular person often times depends upon the law in effect at the time the crime was committed or at the time the person was convicted or sentenced; and

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	HCSR NO. 3
1	WHEREAS, the Department of Public Safety and Corrections (DPS&C) is the state
2	agency responsible for the custody and care of approximately 35,000 adult offenders and is
3	the agency tasked with calculating the length of the offender's sentence, taking into account
4	the various factors that impact the length of the sentence; and
5	WHEREAS, with more than half of that population being housed in various parish
6	facilities and work release centers across the state, and the remainder being housed in the
7	state's nine correctional facilities, it is important for DPS&C to have centralized, accurate,
8	and up-to-date information on all of the offenders committed to its custody; and
9	WHEREAS, in 2017, the Louisiana Legislative Auditor evaluated the Department
10	of Public Safety and Corrections' management of offender data, including its processes for
11	ensuring the accuracy of that data; and
12	WHEREAS, in the audit, the legislative auditor recognized the efforts of legislators
13	and criminal justice stakeholders in working toward prison reform, and stated that the
14	success of these reform efforts is largely dependent upon having accurate and complete
15	information on Louisiana's offender population; and
16	WHEREAS, it is important for DPS&C to have strong policies and procedures to
17	effectively manage offender data, to track offender locations, to calculate offender release
18	dates, and to ensure the accuracy of this information.
19	THEREFORE, the Legislature of Louisiana requests the House Committee on
20	Judiciary, or a subcommittee thereof, the House Committee on Administration of Criminal
21	Justice, or a subcommittee thereof, the Senate Committee on Judiciary B, or a subcommittee
22	thereof, and the Senate Committee on Judiciary C, or a subcommittee thereof, to meet and
23	to function as a joint committee to study the procedures for processing sentences imposed
24	after a criminal conviction and the procedures for calculating incarceration release dates as
25	they relate to those persons committed to the custody of the Department of Public Safety and
26	Corrections, and to report the findings of the joint committee to the legislature prior to the
27	convening of the 2020 Regular Session of the Legislature of Louisiana.
28	THEREFORE, the Legislature of Louisiana further requests that the joint committee
29	solicit input, information, data, recommendations, and advice from the following:

30 (1) The Department of Public Safety and Corrections.

1 (2) The Louisiana Clerks of Court Association. 2 (3) The Louisiana Sheriffs' Association. 3 (4) The office of the governor. 4 (5) The Louisiana Supreme Court. 5 (6) The Louisiana District Judges Association. 6 (7) The Louisiana District Attorneys Association. 7 (8) The Louisiana Public Defender Board. 8 BE IT FURTHER RESOLVED that the joint committee may seek input, information, 9 and data from any persons, agencies, entities, or stakeholders that it deems necessary to 10 fulfill the purposes of this Request.

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)]

HCSR 3 Original

2019 Regular Session

Jackson

Requests the House committees on judiciary and administration of criminal justice, or subcommittees thereof, and the Senate committees on judiciary B and C, or subcommittees thereof, to meet and to function as a joint committee to study the procedures for processing sentences imposed after a criminal conviction and the procedures for calculating incarceration release dates as they relate to those persons committed to the custody of the Dept. of Public Safety and Corrections, and to report the findings of the joint committee to the legislature prior to the convening of the 2020 R.S.