

2026 Regular Session

HOUSE BILL NO. 823

BY REPRESENTATIVE KNOX

COURTS: Establishes a homeless diversion pilot program in Orleans Parish

1 AN ACT

2 To enact Chapter 33-D of Title 13 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 13:5381 through 5386, relative to homelessness; to provide for the
4 creation of a homeless diversion pilot program in Orleans Parish; to provide program
5 goals, guidelines, and participation criteria; to provide for annual evaluations of the
6 homeless diversion pilot program submitted to the Louisiana Supreme Court; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 33-D of Title 13 of the Louisiana Revised Statutes of 1950,
10 comprised of R.S. 13:5381 through 5386, is hereby enacted to read as follows:

11 CHAPTER 33-D. HOMELESS DIVERSION PILOT PROGRAM

12 §5381. Short Title

13 This provisions of this Chapter are to create a pilot program in Orleans Parish
14 entitled the "Homeless Diversion Pilot Program".

15 §5382. Goals

16 The goals of the homeless diversion pilot program created in this Chapter
17 include all of the following:

- 18 (1) To reduce drug abuse and alcoholism and dependency among offenders.
- 19 (2) To reduce the alcohol and drug-related workload of the courts.
- 20 (3) To reduce criminal recidivism.

1 (4) To diagnose undiagnosed mental health problems and to assist in the care
2 and treatment of diagnosed mental health illnesses.

3 (5) To increase the personal, familial, and societal accountability of
4 offenders.

5 (6) To reduce prison overcrowding.

6 (7) To provide employment and job training for those experiencing
7 homelessness.

8 (8) To provide housing assistance for those experiencing homelessness in
9 partnership with state, local, and federal housing authorities and nonprofit
10 organizations.

11 (9) To provide counseling services as necessary.

12 §5383. Homeless diversion pilot program; Parish of Orleans; creation

13 A.(1) The district attorney for Orleans Parish shall create and administer a
14 pilot program for homeless defendants. The district attorney, at his discretion, may
15 choose to be the operator of the program using his own office personnel or may
16 choose a vendor as the operator of the program.

17 (2) The pilot program may be offered, at the discretion of the district
18 attorney, to a homeless defendant as part of a pretrial diversion program.

19 B. The terms of the pilot program shall be decided by the district attorney,
20 which shall have all of the following essential characteristics:

21 (1) The integration of health care, education, and housing assistance, as well
22 as employment, job training, disability compensation counseling, and other
23 rehabilitative services in the processing of cases in the criminal justice system.

24 (2) Early identification and prompt placement of eligible participants into the
25 program.

26 (3) The use of nonadversarial approaches involving prosecutors and defense
27 attorneys to promote public safety and protect the due process rights of program
28 participants.

1 (4) Access to continuum of alcohol, controlled substance, mental health,
2 suicide assessment, intervention, treatment and management, and other related
3 treatment and rehabilitative services.

4 (5) Careful monitoring of treatment and services provided to program
5 participants.

6 (6) A coordinated strategy to govern program responses to participant
7 compliance.

8 (7) Ongoing judicial interaction with program participants.

9 (8) Monitoring and evaluation of program goals and effectiveness.

10 (9) Continuing interdisciplinary education to promote effective program
11 planning, implementation, and operations.

12 (10) Development of partnerships with public agencies and community
13 organizations, including but not limited to the Louisiana Workforce Commission, the
14 United States Department of Housing and Urban Development, and any other local,
15 state or federal agency, or organization that can provide assistance to participants.

16 §5384. Written policies and guidelines

17 The district attorney shall adopt written policies and guidelines for the
18 implementation of a probation program in accordance with this Chapter. The policies
19 and guidelines shall include provisions concerning the following:

20 (1) How to examine the defendant initially to determine if he is qualified for
21 enrollment.

22 (2) How to advise the defendant of the program if the court has reason to
23 believe the defendant may suffer from alcohol or drug addiction or mental health
24 problems or illnesses.

25 (3) What licensed treatment programs are certified by the court.

26 (4) How to assist a defendant in obtaining employment.

27 (5) What residential and housing opportunities exist.

1 §5385. Dismissal of certain criminal charges upon completion of homeless
2 diversion pilot probation program

3 A. Notwithstanding any other provision of law to the contrary, as to any
4 person eligible for participation in the homeless diversion pilot program as provided
5 in this Chapter, when it appears that the best interests of the public and the defendant
6 will be served, the district attorney may defer proceedings and request that he be
7 placed on probation upon such reasonable terms and conditions as may be required
8 by the court and the provisions of this Chapter.

9 B. Upon the defendant's violation of any of the terms or conditions of his
10 probation, the court may revoke his probation, enter an adjudication of guilt, and
11 impose sentence upon the person. The entering of the adjudication of guilt shall be
12 retroactive to the date the defendant pled guilty or was convicted pursuant to
13 Subsection A of this Section, but the imposition or execution of sentence shall not
14 be retroactive.

15 C. Upon fulfillment of the terms and conditions of probation imposed in
16 accordance with this Section, the district attorney shall dismiss the proceedings
17 against him.

18 D. The dismissal of charges pursuant to this Section shall be without court
19 adjudication of guilt and shall not be deemed a conviction for purposes of
20 disqualifications or disabilities imposed by law upon conviction of a crime, including
21 the additional penalties imposed for second or subsequent convictions pursuant to
22 R.S. 40:982. The dismissal of charges pursuant to this Section may occur only once
23 with respect to any person.

24 §5386. Report to the Louisiana Supreme Court

25 The Homeless Diversion Pilot Program shall develop a method of evaluation
26 to measure its effectiveness. This evaluation shall be compiled annually and
27 transmitted to the judicial administrator of the Louisiana Supreme Court.

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 823 Original

2026 Regular Session

Knox

Abstract: Establishes a homeless diversion program in Orleans Parish.

Proposed law creates the Homeless Diversion Pilot Program in the Parish of Orleans.

Proposed law provides that the district attorney by rule may designate as a homeless diversion pilot program (program) to which participants are assigned.

Proposed law provides for program goals and criteria, qualifications, and guidelines for participation.

Proposed law provides that upon the successful completion of the terms and conditions of the program, the district attorney shall dismiss the proceedings against the participant.

Proposed law requires the program to develop a method of evaluation to measure its effectiveness. Provides for annual submission of evaluations to the La. Supreme Court.

(Adds R.S. 13:5381-5386)