

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 139** SLS 17RS 290  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

**Date:** April 24, 2017 5:05 PM **Author:** MARTINY  
**Dept./Agy.:** Corrections **Analyst:** Monique Appeaning  
**Subject:** Release and Community Supervision of Individuals

CRIMINAL JUSTICE OR DECREASE GF EX See Note Page 1 of 2  
 Provides relative to criminal justice. (7/1/17)

Proposed law amends, reenacts and enacts certain areas of the Code of Criminal Procedure Articles relative to criminal justice. It provides for alternatives to incarceration, release from incarceration and supervision, felony probation and parole, suspension and deferral of sentence, term of probation and of parole; extended probation periods; discharge credits for felony probation and for parole; the earning of discharge credits; for the regulation of number of credits earned; for methods to rescind credits; for notice; for the satisfaction of sentences; for discharge from probation and from parole; for administrative sanctions; for technical violations of probation and of parole; authorize use of administrative sanctions; for a system of administrative rewards; for probation and for parole revocation; for sentences imposed for technical violations of probation and parole; for credit for time served; for the substance abuse probation program; for diminution of sentence; for good time; for earning rates for good time; for the committee on parole; for meetings of the committee on parole; for voting; for administrative parole; for notice to victims; for notice for victim's spouse or next of kin; **Continued On Page 2**

<b>EXPENDITURES</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	INCREASE	INCREASE	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

This legislation is part of an entire package of approximately ten (10) bills based on recommendations from the Louisiana Justice Reinvestment (JRI) Task Force. The entire savings and reductions are based on the entire package of bills. As reported by the taskforce, "the consensus recommendations would avert the projected growth in the number of prisoners in Louisiana and bend the prison population downward, for an overall reduction in the prison population of 13 percent (4,817 prison beds) by 2027. This decline in the number of prisoners would save Louisiana taxpayers \$305 million over the next ten years. Savings in FY 18 alone is projected to exceed \$9 million. The recommendations would reinvest overall half of the savings - \$154 M into research-based programs that reduce recidivism and services that support victims of crime. The recommendations would also reduce the community supervision populations by 16 percent (11,421 people) by 2027, compared to the projected population absent reform. Assuming Division of Probation & Parole staffing levels remain constant, this drop in the community supervision population would reduce average caseload sizes from 139 to 113 cases per officer."

DPSC reports that proposed law focuses on executing best practices in release and community supervision and that it aims to eliminate inconsistencies in release policies, increase equity in sentencing by applying nonviolent parole changes to currently incarcerated offenders, expand eligibility for alternatives to incarceration, establish a temporary furlough policy for inmates with serious medical needs, expand incentives for inmates to participate in recidivism reduction programming, streamline parole releases for those who are compliant with case plans and institutional rules, focus community supervision on the highest-risk period by reducing maximum probation terms and establishing an earned compliance credit incentive, address gaps and deficiencies in swift, certain, and proportional sanctions for violations of probation and parole conditions, and provide for the opportunity for parole consideration to some of Louisiana's longest-serving inmates. DPSC estimates that proposed law would result in \$8.7 M SGF expenditure savings in the first year and a total of \$23.2 M by year five (5). Note - The savings reported were not adjusted for the daily parole supervision cost of \$2.63 per parolee nor for the revenue generated from individuals who are released under parole supervision who could pay up to \$63 monthly.

**Continued on Page 2**

**REVENUE EXPLANATION**

Proposed law will likely result in an indeterminable increase in self-generated revenue as a result of offenders being released into parole supervision. For each offender that is released to parole at an earlier date, the DPSC could collect up to \$63 per month from each offender under parole supervision. It should be noted that the maximum amount paid per month is \$63 and the offender's ability and the amount required to pay is determined by the committee on parole. While the number of

**Continued on Page 2**

Senate Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**

LEGISLATIVE FISCAL OFFICE  
Fiscal Note



Fiscal Note On: **SB 139** SLS 17RS 290  
Bill Text Version: **ORIGINAL**  
Opp. Chamb. Action:  
Proposed Amd.:  
Sub. Bill For.:

**Date:** April 24, 2017 5:05 PM **Author:** MARTINY  
**Dept./Agy.:** Corrections **Analyst:** Monique Appeaning  
**Subject:** Release and Community Supervision of Individuals

**CONTINUED EXPLANATION from page one:**

**SUMMARY CONTINUED FROM PAGE ONE**

for parole eligibility; for parole eligibility for offenders serving a life sentence; for parole hearings; for conditions of parole; for custody and supervision of parolees; for modification of parole; for suspension of probation and of parole; for return to custody hearings; for detainers; for enforceability of detainers; for medical parole; authorize medical furloughs; for the term of medical parole and furlough; for revocation of medical parole or furlough for improved health; for written case plans; for classification and treatment programs; for credit for participation in certain programs; good time for offenders sentenced as habitual offenders; for rulemaking; for record collection; for maintenance of records; for effective dates; and for related matters.

**EXPENDITURE EXPLANATION CONTINUED FROM PAGE ONE**

Proposed law will result in an indeterminable decrease in SGF expenditures for the Department of Public Safety and Corrections - Correction Services (DPSC) as a result of specific changes in the present law for the release and community supervision of certain incarcerated individuals. To the extent individuals are released and placed on parole, the per offender savings will likely result in \$21.76 (\$24.39 per day - \$2.63 parole supervision per day) per day or \$7,942.40 annually per offender in local facilities. To the extent that offenders are released from state facilities, the savings per day per offender is \$49.27 (\$51.90 per day - \$2.63 parole supervision per day) or \$17,983.55 annually. Currently, the DPSC houses 50% of state offenders at the local level and 50% at the state level.

Proposed law will result in an indeterminable decrease in SGF (via the Louisiana Public Defender Fund) expenditures to Louisiana Public Defender Board (LPDB) for the district offices as a result of certain changes regarding the discharge credits for probation (Art. 895.6) and changes regarding administrative sanctions for technical violations (Art. 899.1). LPDB reports that the changes to the discharge credits for probation will likely shorten many probation periods and cause a decrease in the number of revocation hearings, wherein defendants are represented by public defenders. The changes to the administrative sanctions for technical violations will likely allow the probation agency to use administrative sanctions to address technical violations to probation, thus avoiding probation revocation hearings, altogether. This will likely result in a decrease in the number of revocation hearings, wherein defendants are represented by the public defenders.

**REVENUE EXPLANATION CONTINUED FROM PAGE ONE**

individuals under parole supervision is likely to increase in the short term, the JRI estimates a reduction of 16% (11,421) by 2027 which predicts a decrease in revenues at some unspecified point in the future.

**NOTE:**

Proposed law is a companion to Senate Bill 220 and portions of proposed law are contingent upon Senate Bill 220 . The savings of this proposed law is dependent on the successful enactment of Senate Bill 220 in order to achieve the maximum savings.

The Louisiana Sheriff's Association, the Louisiana District Attorneys Association and the Louisiana State Supreme Court have not replied as of the publication. The potential fiscal impacts are not discussed in this note.

Senate Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**