
DIGEST

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HB 394 Engrossed

2018 Regular Session

Cox

Abstract: Creates the Post-Conviction Veterans Mentor Program, and provides for eligibility.

Proposed law creates the Post-Conviction Veterans Mentor Program.

Proposed law defines "veteran" as an honorably or generally discharged member of the U.S. Armed Forces or organized militia of the several states and territories, including but not limited to a member of the Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, Air National Guard, Reserves, State Guard, or a commissioned officer of the Public Health Service, Environmental Science Services Administration, or National Oceanic and Atmospheric Administration, or its predecessor, the United States Coast and Geodetic Survey.

Proposed law provides that:

- (1) An offender must satisfy the eligibility requirements of the present law Veterans Court Program.
- (2) The department has reason to believe that the offender could benefit from the Post-Conviction Veterans Mentor Program.
- (3) The offender is committed to the Dept. of Public Safety and Corrections for a term or terms of imprisonment for 20 years or more and not otherwise eligible for parole at an earlier date.
- (4) The offender has completed substance abuse treatment as applicable.
- (5) The offender has completed an anger management program.
- (6) The offender has not committed any major disciplinary offenses in twelve consecutive months prior to the transfer.
- (7) The offender has completed the mandatory minimum of 100 hours of prerelease programming.
- (8) The offender has obtained a GED credential, unless the offender has previously obtained a high school diploma.
- (9) The offender has obtained a low-risk level designation determined by DPS&C.

(10) The offender is in the custody of DPS&C.

Proposed law provides that to maintain eligibility to participate in the program, the offender must comply with all of the following:

- (1) Maintain parole eligibility.
- (2) Submit to electronic monitoring for a period of three years upon initial release and shall be responsible for the cost of such electronic monitoring.
- (3) The offender shall be given the conditions of his location tracking and crime correlation based electronic monitoring supervision.
- (4) Continue as a member of an approved 12-step program or an approved equivalent by the supervising parole officer.
- (5) Meet once a month with an authorized veteran transition counselor.
- (6) Be subject to multiple weekly visits with the supervising officer without prior notice.
- (7) Perform at least 50 hours of unpaid community service to any veteran or military program, including the Veterans Court Probation Program.
- (8) Offenders transferred to a transitional facility shall serve as mentors of the Veterans Court Probation Program.

Proposed law provides for the transfer of eligible veterans to the division of probation or parole or to a transitional facility after serving 10 years of the term or terms of imprisonment in actual custody and upon attaining at least 40 years of age.

Proposed law provides for a Veteran Mentor Screening Panel to determine whether eligible veterans can serve as mentors. Provides for the membership of the panel.

Proposed law provides for the establishment of minimum security transitional facilities for eligible veterans, and provides for the distribution of the wages earned by the inmate. Provides that the wages of an inmate so employed shall be not less than the customary wages for an employee performing similar services. Deductions for room, board, and other administrative costs resulting from participation in a workforce development work release program shall not exceed 33% of the wages received by an inmate. Provides for a favorable recommendation for commutation of sentence for veterans who successfully complete the initial five years at a transitional facility.

(Adds R.S. 15:1199.21 - 1199.26)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Amend the definition of "veteran" to include those generally discharged.
2. Change proposed law provisions providing for a transfer of eligible offenders to the division of probation and parole upon serving 10 years of the term of imprisonment.
3. Require that participants of the proposed law program meet the eligibility requirements of the present law Veterans Court Program and that they are committed to the custody of DPS&C.
4. Create a Veteran Mentor Screening Panel and require a favorable recommendation by the panel prior to a veteran serving as a mentor in the proposed law program.