
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

DIGEST

Guillory (SB 202)

Present law provides that the Board of Pardons will consist of five electors who will be appointed by the governor to serve terms concurrent with the governor making the appointments or until their successors are appointed and take office.

Present law provides that each member will devote full time to the duties of his office, and shall be prohibited from holding any elective, appointive, or public employment; or from engaging in any private business or employment which is in conflict with his duties as a member of the board.

Present law provides that four members of the board will constitute a quorum and all actions of the board will require the favorable vote of at least four members of the board.

Present law provides that the chairman of the board will receive an annual salary of \$42,000, and each of the other members of the board will receive an annual salary of \$36,000 and will be reimbursed for necessary travel and other expenses actually incurred in the discharge of his duties.

Proposed law retains present law and provides for the addition of an ex officio member of the board if the clemency applicant is incarcerated at the time of his application. The ex officio member will be an uncompensated, nonvoting member who will not be counted for purposes of the number of members necessary to take board action or the number of members necessary to establish quorum. The ex officio member will not be reimbursed for travel expenses.

Proposed law provides that the ex officio member will be the warden, or in his absence the deputy warden, of the correctional facility in which the offender is incarcerated.

Proposed law further provides that when the offender is housed in a local correctional facility and the warden or deputy warden of that facility is not able to attend the offender's pardon hearing, the warden, or in his absence the deputy warden, of the state correctional facility with regional responsibility for the local correctional facility where the offender is housed may serve as an ex officio member.

Present law provides that the board of parole will consist of seven members who will be appointed by the governor and one ex officio member.

Proposed law retains present law and requires each member, within 90 days of being appointed to the board of parole, to complete a comprehensive training course developed by DPS&C that is consistent with those offered by the National Institute of Corrections or the American Probation

and Parole Association, and further requires each member to complete a minimum of eight hours of training annually.

Present law provides for the powers and duties of the board of parole, including the duty to provide an annual report to the secretary of DPS&C which includes statistical data and other data with respect to the determinations and work of the board of parole, information on research studies conducted by the board, and recommendations to the legislature to further improve the parole system.

Proposed law retains present law and further requires the board of parole to include in its report to DPS&C a summary of past practices and outcomes and plans for the upcoming year.

Proposed law requires DPS&C to develop a plan that will be submitted to the legislature no later than January 1, 2012, and will include the establishment of a validated actuarial risk and needs assessment tool which will be adopted and used by the department, and which the parole board will use in making its decisions.

Effective August 15, 2011.

(Amends R.S. 15:572.1(A) and (F), 572.2, 574.1, and 574.2(D)(4); adds R.S. 15:572.1(G) and 574.2(A)(5) and (H))