DIGEST

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Lopinto HB No. 416

Abstract: Amends timing of parole eligibility of certain offenders.

Present law provides that a person, otherwise eligible for parole, convicted of a first felony offense shall be eligible for parole consideration upon serving one-third of the sentence imposed, and upon conviction of a second felony offense, such person shall be eligible for parole consideration upon serving one-half of the sentence imposed. Present law further provides that a person convicted of a third or subsequent felony offense shall not be eligible for parole.

Present law provides that a person convicted of a crime of violence and not otherwise ineligible for parole shall serve at least 85% of the sentence imposed before being eligible for parole.

Proposed law amends present law as follows, with respect to any offender who has not been convicted of a crime of violence, has not been convicted of a sex offense, has not been sentenced as a habitual offender, or is not otherwise ineligible for parole:

(1) Upon a first felony conviction, the offender shall be eligible for parole upon serving 25% of the sentence imposed.

(2) Upon a second felony conviction, the offender shall be eligible for parole upon serving 33-a% of the sentence imposed.

(3) A person convicted of a third or subsequent felony offense shall not be eligible for parole.

Proposed law retains present law with regard to a person convicted of a crime of violence, a person convicted of a sex offense, or a person sentenced as a habitual offender.

Nothing in proposed law shall prevent an offender from reapplying for parole in accordance with present law.

Proposed law provides that any savings realized by the provisions of proposed law shall be appropriated by the La. Legislature to DPS&C for reimbursements for the costs of incarceration of offenders awaiting probation and parole revocation hearings, for other local corrections programs that reduce recidivism, for expanded treatment programs, and for expanded probation and parole services.

(Amends R.S. 15:574.4(A)(1))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Amended provisions regarding the timing of parole eligibility for those offenders who have not been convicted of a crime of violence or a sex offense and who have not been sentenced as a habitual offender.

2. Added provision prohibiting a person convicted of a third or subsequent felony offense from being eligible for parole.

House Floor Amendments to the engrossed bill.

1. Added provision requiring DPS&C to measure and document cost savings from implementation of proposed law. Further requires the La. Legislature to appropriate the savings realized by the provisions of proposed law to DPS&C for reimbursements for the costs of incarceration of offenders awaiting probation and parole revocation hearings, for other local corrections programs that reduce recidivism, for expanded treatment programs, and for expanded probation and parole services.