

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 321 By Senator Martiny

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

PROBATION/PAROLE. Provides for eligibility for parole consideration. (8/1/12)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Provides that proposed law applies to persons sentenced to a term or terms of imprisonment with or without parole and who are serving a life sentence.
2. Provides that a conviction will not be considered a crime of violence if in fact physical violence was not perpetrated against the victim by the offender in the commission of the crime.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

Present law provides for eligibility for parole consideration for certain offenders.

Proposed law retains present law and makes an exception to present law to provide that unless eligible for parole at an earlier date, a person committed to the Dept. of Public Safety and Corrections for a term or terms of imprisonment with or without benefit of parole and serving a life sentence ordered pursuant to the habitual offender law enacted by Act No. 1245 of the 1995 Regular Session of the Legislature, shall be eligible for parole consideration upon reaching age 50 if all of the following conditions are met:

- (1) The offender has not been convicted of a crime of violence as defined in present law; however, for purposes of proposed law, a conviction shall not be considered to be for a crime of violence if in fact physical violence was not perpetrated against the victim by the offender in the commission of the crime.
- (2) The offender has served at least 15 years of imprisonment in actual custody.
- (3) The offender has not committed any disciplinary offenses in 12 consecutive months prior to the parole eligibility date.
- (4) The offender has completed substance abuse treatment, as applicable.
- (5) The offender has completed anger management treatment, as applicable.
- (6) The offender has obtained a low-risk level designation determined by a validated risk assessment instrument approved by the secretary of the DPS&C.
- (7) The offender has completed the mandatory minimum of 100 hours of pre-release programming, if available.
- (8) The offender has obtained a GED credential, unless the offender has a high school diploma or is deemed by a certified educator as incapable of obtaining a GED due to a learning disability or because such programming is not available. If the offender is incapable of obtaining a GED, the offender must successfully complete either a literacy program, an adult basic education program, or a job skills training program.

Effective August 1, 2012.

(Adds R.S. 15:574.4(A)(5))

J. W. Wiley
Senate Counsel