SLS 15RS-575 ORIGINAL

2015 Regular Session

SENATE CONCURRENT RESOLUTION NO. 16

BY SENATOR MILLS

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LEGISLATIVE AGENCIES. Directs the Louisiana State Law Institute to establish a working group to study laws relative to marijuana and make recommendations to protect public safety, hold offenders accountable, and control costs to the criminal justice system.

A CONCURRENT RESOLUTION 1 2 To direct the Louisiana State Law Institute to establish a working group to study current law 3 relative to marijuana and to make recommendations to protect public safety, hold marijuana offenders accountable, and control costs to the criminal justice system 4 5 arising out of the prosecution of marijuana offenses. 6 WHEREAS, members of the criminal justice community have found that the volume 7 of marijuana offenses being prosecuted are placing a burden on lower courts, forcing state 8 and local governments to spend tax dollars to prosecute and defend many lesser offenses, 9 thus creating a financial burden on these communities; and 10 WHEREAS, members of the criminal justice community have found that the increase 11 in arrests, convictions, and sentencing for marijuana offenses has placed a burden on local jails and state prisons, and contributes significantly to Louisiana's costly incarceration rates; 12 13 and 14 WHEREAS, the current state and federal funding climate gives the legislature and other officials cause to evaluate the need for reforms of the state's criminal justice system 15 to promote public safety more effectively and efficiently, hold offenders accountable, and 16 control spending; and 17

WHEREAS, it is incumbent upon the legislature and other officials to develop and

1 implement changes necessary to optimize public safety resources and make strategic 2 investments across our public safety system; and 3 WHEREAS, members of the criminal justice community have identified reform of 4 marijuana sentencing laws and related habitual offender laws as a means to reduce incarceration rates and reduce costs to the criminal justice system without negatively 5 6 impacting public safety; and 7 WHEREAS, in recent years, numerous legislative instruments aimed at marijuana 8 sentencing reform have been introduced in both the House of Representatives and the Senate 9 but have not reached consensus in committee or been enacted into law; and 10 WHEREAS, the provisions of current law regarding marijuana offenses should be 11 reviewed and thoroughly examined with the goal of building consensus among stakeholders 12 and consolidating efforts toward legislative reform; and 13 WHEREAS, a concerted effort should be made to establish laws that yield a more 14 effective criminal justice system, while holding public safety paramount and considering the 15 issues that impact diverse stakeholders in the criminal justice system; and 16 WHEREAS, the legislature has the power to authorize and direct the Louisiana State Law Institute to study and make recommendations for the revision of laws regarding 17 18 marijuana offenses, in particular sentencing for marijuana offenses, habitual offender laws, 19 and related statutes; and WHEREAS, on June 5, 2014, the Louisiana State Bar Association's House of 20 Delegates adopted a resolution in support of legislation reducing sentences for simple 21 22 possession of marijuana; and 23

WHEREAS, on January 17, 2015, the Louisiana State Bar Association's House of Delegates adopted a resolution in support of the study of marijuana laws and related habitual offender laws, and recommendations for reform.

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THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby authorize and direct the Louisiana State Law Institute to establish a working group to study and make recommendations for the revision of marijuana laws and related habitual offender laws in an effort to identify reforms that will ensure the most effective and efficient administration of justice in the state of Louisiana.

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BE IT FURTHER RESOLVED that Legislature of Louisiana hereby directs the Louisiana State Law Institute to work in conjunction with the Louisiana District Attorneys Association, the Louisiana Public Defender Board, the Louisiana Sheriffs' Association, the Louisiana State Police, the Louisiana Commission on Law Enforcement and Administration of Criminal Justice, the Louisiana Clerks of Court Association, and any other agencies or associations deemed appropriate by the working group regarding this study.

BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall report its findings and recommendations to the legislature on or before March 1, 2016.

BE IT FURTHER RESOLVED that a copy of this Resolution is to be transmitted to the director of the Louisiana State Law Institute.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST 2015 Regular Session

Mills

SCR 16 Original

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Directs the La. State Law Institute to establish a working group to study <u>present law</u> relative to marijuana and related laws and to make recommendations to protect public safety, hold marijuana offenders accountable, and control costs to the criminal justice system arising out of the prosecution of marijuana offenses.

Directs the institute to report its findings and recommendations to the legislature on or before March 1, 2016.