

GREEN SHEET REDIGEST

HB 893

2022 Regular Session

Hughes

BUDGETARY PROCEDURES: Provides relative to criminal justice reinvestment savings and reporting requirements

DIGEST

Present law authorizes DPS&C to enter into cooperative endeavors or contracts with the La. Workforce Commission, the La. Dept. of Education, and the La. community and technical colleges, educational institutions, training facilities, and service providers to provide entrepreneurial educational opportunities for eligible offenders.

Proposed law requires rather than authorizes DPS&C to enter into such cooperative endeavors or contracts.

Present law requires DPS&C, in conjunction with the La. Commission on Law Enforcement and Administration of Criminal Justice, to collect, track, analyze, forecast, and distribute data relative to prison admissions, sentencing, habitual offender sentencing, parole, community supervision, medical furlough, certified treatment and rehabilitation programs, workforce development programs, and cost savings and reinvestment. Proposed law retains present law.

Present law requires DPS&C to annually report to the Joint Legislative Committee on the Budget (JLCB) on the data it collects, including certain specific data analysis including information relative to the population of individuals on probation or parole, prison admissions, certified treatment and rehabilitation programs, workforce development, and reinvestment and savings.

Proposed law retains the requirements of present law to provide this specific information, but changes the entity to which DPS&C provides the information. Requires the analysis of reinvestment and savings data to be reported to JLCB in the month of July of each year. Establishes further requirements for this report to JLCB as detailed in proposed law. Requires the analysis of probation and parole populations, prison admissions, certified treatment and rehabilitation programs, and workforce development to be submitted to the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary B no later than June 30th of each year.

With respect to the savings attributable to recent criminal justice reform legislation, present law requires DPS&C each year to provide to the commissioner of administration and JLCB a statement of calculated annual savings realized as a result of these reforms. Proposed law requires the report to be submitted solely to JLCB.

Present law deems 50% of the annual savings a bona fide obligation of the state and establishes the following allocation for that portion of the savings:

- (1) 30% of the 50% is allocated to DPS&C to award incentive grants to parishes, judicial districts, and nonprofit community partner organizations to expand evidence-backed prison alternatives and reduce admissions to the state prison system.
- (2) 20% of the 50% is allocated to the La. Commission on Law Enforcement and the Administration of Criminal Justice to award competitive grants for victim services.
- (3) 50% of the 50% is allocated to DPS&C for targeted investments in reentry services, community supervision, educational and vocational programming, transitional work programs, and contracts with parish jails and other local facilities that house state inmates to incentivize expansion of recidivism reduction programming and treatment services.

Present law deems an additional 20% of the total annual savings a bona fide obligation of the state and allocates the amount to DPS&C for juvenile justice initiatives and programs.

Proposed law retains present law but bases the percentage on the total amount of savings instead of the bonafide amounts as follows:

- (1) 15% to DPS&C to award incentive grants to parishes, judicial districts, and nonprofit community partner organizations to expand evidence-backed prison alternatives and reduce admissions to the state prison system.
- (2) 10% to the La. Commission on Law Enforcement and the Administration of Criminal Justice to award competitive grants for victim services.
- (3) 45% to the La. Community and Technical College System for targeted investments in educational and vocational training aimed at recidivism reduction programing for adult and juvenile offenders. Proposed law further requires the La. Community and Technical College System to report to the legislature by Dec. 15 of each year.

Proposed law retains the requirement of present law that 70% of the annual savings be deemed a bona fide obligation of the state.

As previously noted, proposed law requires DPS&C to submit a report each year to JLCB regarding the savings from criminal justice reform legislation. Proposed law requires the report to contain information on all offenders in state facilities, offenders sentenced to DPS&C who are in the custody of the sheriff or other local governing authority, and youth in the custody or under supervision of the office of juvenile justice for each of the following topics:

- (1) The total annual savings and the calculation used to determine the savings pursuant to proposed law.
- (2) The amounts allocated pursuant to proposed law and present law and a description of how DPS&C has used the funds in past fiscal years through FY 2014-2015 and how it plans to use the funds in the current fiscal year.
- (3) A comparison of the number of individuals eligible for educational and vocational programming, the number of participants in educational and vocational programming, and the total amount expended on the programming from justice reinvestment funds and any additional sources of funds for the immediately preceding fiscal year and each prior fiscal year through FY 2014-2015.
- (4) A comparison of recidivism rates for individuals receiving community-based services, individuals receiving educational and vocational programming, and individuals receiving a combination of community-based services and educational and vocational programming for the immediately preceding fiscal year and each prior fiscal year through FY 2014-2015.
- (5) A comparison of post-incarceration employment rates for individuals who received educational and vocational programming for the immediately preceding fiscal year and each prior fiscal year through FY 2014-2015.

Proposed law provides for prospective application only with percentages for savings allocation applying to savings generated in FY 2022-2023 and subsequent years.

(Amends R.S. 15:827.1(E)(2), 827.2(A)(2) and (3), and 827.3; Repeals R.S. 15:827.2(D)(7))

Summary of Amendments Adopted by House

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

1. Require rather than authorize DPS&C to enter into cooperative endeavors or contracts with the La. Workforce Commission, the La. Dept. of Education, and the La. community and technical colleges, and service providers for educational opportunities for certain offenders.

The House Floor Amendments to the engrossed bill:

1. Remove proposed law which required the following:
 - (a) 25% of annual savings to be allocated to DPS&C for targeted investments in reentry services, community supervision, educational and vocational programming, transitional work programs, and contracts with parish jails and other local facilities to incentivize expansion of recidivism reduction programming and treatment services.
 - (b) DPS&C to use the money to provide educational and vocational programming to no less than 50% of eligible individuals each year.
 - (c) 20% of annual savings to be allocated to DPS&C for juvenile justice initiatives and programs.
2. Require 45% of annual savings to be allocated to the La. Community and Technical College System for targeted investments in educational and vocational training aimed at recidivism reduction programming for adult and juvenile offenders.
3. Require the La. Community and Technical College System to report to the legislature by Dec. 15 of each year.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the reengrossed bill

1. Provides for prospective application only with percentages for savings allocation applying to savings generated in FY 2022-2023 and subsequent years.