

Regular Session, 2012

HOUSE BILL NO. 318

BY REPRESENTATIVE KATRINA JACKSON

CRIMINAL/SENTENCING: Amends penalty provisions for certain crimes of violence

1 AN ACT

2 To amend and reenact R.S. 15:574.4(B), relative to parole eligibility; to amend provisions
3 of law regarding parole eligibility for certain crimes of violence; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:574.4(B) is hereby amended and reenacted to read as follows:

7 §574.4. Parole; eligibility

8 * * *

9 B.(1) No person shall be eligible for parole consideration who has been
10 convicted of armed robbery and denied parole eligibility under the provisions of R.S.
11 14:64.

12 (2) No prisoner serving a life sentence shall be eligible for parole
13 consideration until his life sentence has been commuted to a fixed term of years.

14 (3) No prisoner sentenced as a serial sexual offender shall be eligible for
15 parole.

16 (4) No prisoner may be paroled while there is pending against him any
17 indictment or information for any crime suspected of having been committed by him
18 while a prisoner.

19 (5) Notwithstanding any other provisions of law to the contrary, a person
20 convicted of a ~~crime of violence~~ one of the following enumerated crimes of violence

peace officer with a firearm, aggravated assault with a firearm, armed robbery, use of firearm, aggravated robbery, disarming of a peace officer, stalking, second degree cruelty to juveniles, aggravated flight from an officer, terrorism, battery of a correctional facility employee, battery of a police officer, and aggravated incest.

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 retains that provision of present law with respect to first degree murder, second degree murder, aggravated rape, forcible rape, simple rape, sexual battery, second degree sexual battery, intentional exposure to AIDS virus, aggravated kidnapping, second degree kidnapping, aggravated arson, armed robbery, carjacking, armed robbery use of firearm additional penalty, second degree robbery, disarming a peace officer, trafficking of children for sexual purposes, human trafficking, and home invasion.

Proposed law provides that a person convicted of all other crimes of violence and not otherwise ineligible for parole shall serve at least 75% of the sentence imposed before being eligible for parole.

(Amends R.S. 15:574.4(B))