

Regular Session, 2010

HOUSE BILL NO. 35

BY REPRESENTATIVE PATRICIA SMITH

CORRECTIONS/PRISONERS: Provides with respect to eligibility for parole consideration for certain elderly inmates

1 AN ACT

2 To enact R.S. 15:574.4(A)(4), relative to parole; to provide for eligibility for parole
3 consideration for certain inmates who are at least sixty years of age, have been
4 incarcerated for at least ten years, and have met certain conditions; to provide for
5 exceptions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:574.4(A)(4) is hereby enacted to read as follows:

8 §574.4. Parole; eligibility; consideration and hearings; decisions of board; nature,
9 order, and conditions; rules of conduct; offenders convicted of crimes of
10 violence; infectious disease testing

11 A.

12 * * *

13 (4) Notwithstanding any other provision of law to the contrary, unless
14 eligible for parole at an earlier date, a person committed to the Department of Public
15 Safety and Corrections for a term or terms of imprisonment with or without benefit
16 of parole who has served at least ten years of the term or terms of imprisonment in
17 actual custody shall be eligible for parole consideration upon reaching the age of
18 sixty years if the following conditions are met:

19 (a) The offender has not been convicted of a crime of violence as defined in
20 R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, or convicted of an offense
21 which would constitute a crime of violence as defined in R.S. 14:2(B) or a sex
22 offense as defined in R.S. 15:541, regardless of the date of conviction.

- (3) The offender has completed the mandatory minimum of 100 hours of pre-release programming.
- (4) The offender has completed substance abuse treatment as applicable.
- (5) The offender has obtained a GED, unless the offender has previously obtained a high school diploma or is deemed by a certified educator as being incapable of obtaining a GED due to a learning disability. If the offender is deemed incapable of obtaining a GED, the offender must complete at least one of the following: a literacy program, an adult basic education program, or a job skills training program.
- (6) The offender has obtained a low-risk level designation determined by a validated risk assessment instrument approved by the secretary of DPS&C.

Proposed law provides for prospective application only.

(Adds R.S. 15:574.4(A)(4))

Summary of Amendments Adopted by House

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

1. Added conditions to the proposed parole eligibility requirements.
2. Made proposed law applicable only to persons convicted on or after Aug. 15, 2010.