

Regular Session, 2010

HOUSE BILL NO. 621

BY REPRESENTATIVE PEARSON

PARDON/PAROLE: Authorizes warrantless searches of persons on parole supervision by commissioned law enforcement officers

1 AN ACT

2 To amend and reenact R.S. 15:574.4(H)(4)(r)(i), relative to parole; to authorize searches of
3 persons on parole supervision by commissioned law enforcement officers; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:574.4(H)(4)(r)(i) is hereby amended and reenacted to read as
7 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 * * *

12 H.

13 * * *

14 (4) The board may also require, either at the time of his release on parole or
15 at any time while he remains on parole, that he conform to any of the following
16 conditions of parole which are appropriate to the circumstances of the particular
17 case:

18 * * *

19 (r)(i) Agree to searches of his person, his property, his place of residence, his
20 vehicle, or his personal effects, or any or all of them, at any time, by the probation

1 officer or the parole officer assigned to him or any commissioned law enforcement
 2 officer, with or without a warrant of arrest or with or without a search warrant, when
 3 the ~~probation officer or the parole~~ officer has reasonable suspicion to believe that the
 4 person who is on parole is engaged in or has been engaged in criminal activity since
 5 his release on parole.

6 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Pearson

HB No. 621

Abstract: Authorizes searches of parolees and their property by commissioned law enforcement officers with or without an arrest or search warrant.

Present law authorizes the Board of Parole to establish certain conditions of parole. Provides that one such condition is the agreement by the parolee to agree to searches of his person, property, residence, vehicle, or personal effects at any time by a probation or parole officer, with or without an arrest or search warrant.

Proposed law expands present law to include searches by any commissioned law enforcement officer.

(Amends R.S. 15:574.4(H)(4)(r)(i))