

Regular Session, 2010

HOUSE BILL NO. 990

BY REPRESENTATIVE THIERRY AND SENATOR GUILLORY

CORRECTIONS: Amends provisions of the Inmate Rehabilitation and Workforce Development Act

1 AN ACT

2 To amend and reenact R.S. 15:1199.1, 1199.2(A)(introductory paragraph), 1199.3(2),
3 1199.4(A) and (M), 1199.7(A), 1199.9, 1199.10(B)(1), 1199.11, 1199.12, and
4 1199.14(B), to enact R.S. 15:1199.2(A)(5), (6), (7), (8), (9), (G), (H), (I), (J), (K),
5 and (L), 1199.3(9), and 1199.4(N), and to repeal R.S. 15:1199.2(F), relative to
6 inmate rehabilitation; to provide for reentry programs and initiatives; to provide for
7 definitions; to provide for additional duties of the reentry advisory council; to
8 provide with respect to eligibility standards; to provide for certification and licensing
9 of skilled craftsmen; to provide for the percentage of inmate wages which can be
10 taken to pay for some of the expenses of the program; to provide for the duration of
11 the program; to provide for applicability; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 15:1199.1, 1199.2(A)(introductory paragraph), 1199.3(2), 1199.4(A)
14 and (M), 1199.7(A), 1199.9, 1199.10(B)(1), 1199.11, 1199.12, and 1199.14(B) are hereby
15 amended and reenacted and R.S. 15:1199.2(A)(5), (6), (7), (8), and (9), (G), (H), (I), (J), (K),
16 and (L), 1199.3(9), and 1199.4(N) are hereby enacted to read as follows:

1 PART XVIII. REENTRY ADVISORY COUNCIL AND ~~INMATE~~ OFFENDER

2 REHABILITATION AND WORKFORCE DEVELOPMENT

3 §1199.1. Short title

4 This Part may be referred to and may be cited as the "~~Inmate Rehabilitation~~
5 Reentry Advisory Council and Offender Rehabilitation Workforce Development
6 Act".

7 §1199.2. Legislative findings

8 A. The mission of incarceration in the criminal justice system is to enhance
9 public safety through the safe and secure incarceration of offenders, effective
10 probation and parole supervision, and proven rehabilitative strategies that
11 successfully reintegrate offenders into society, as well as assisting individuals and
12 communities victimized by crime. The goals and priorities of incarceration in the
13 criminal justice system involve a commitment to public safety and rehabilitation and
14 are:

15 * * *

16 (5) To provide safety to both corrections staff and offenders.

17 (6) To provide basic services.

18 (7) To provide opportunities for change.

19 (8) To provide opportunities for restitution.

20 (9) To provide effective strategies for reentry into society following
21 incarceration.

22 * * *

23 G. Successful offender reentry and reintegration into the community is a
24 matter of critical importance to the public's safety, but reentry is often unsuccessful
25 due to the barriers ex-offenders face upon release. Those barriers include, but are not
26 limited to, a lack of education and job skills, employment prohibition in selected
27 occupations, mental health and substance abuse problems, access to valid
28 identification documents, child support enforcement regulations, access to public
29 housing and other public benefits, and strained or fragile family and community ties.

1 task force shall perform the essential functions of the Reentry Advisory Council on
2 the local level as defined in R.S. 15:1199.4(N).

3 §1199.4. ~~Inmate Rehabilitation and Workforce Development~~ Reentry Advisory
4 Council; creation; members; powers and duties

5 A. The ~~Inmate Rehabilitation and Workforce Development~~ Reentry
6 Advisory Council is hereby created within the Department of Public Safety and
7 Corrections.

8 * * *

9 M. The council shall serve as an advisory body to the secretary and the
10 legislature on the administration of the program as authorized by this Part.

11 N. The Reentry Advisory Council shall:

12 (1) Identify methods to improve collaboration and coordination of offender
13 transition services, including cross-agency training and information sharing that will
14 help to improve outcomes for offenders.

15 (2) Establish a means to share data, research, and measurement resources in
16 relation to reentry initiatives with relevant agencies.

17 (3) Identify funding areas that should be coordinated across agencies to
18 maximize the delivery of state and community-based services as they relate to
19 reentry.

20 (4) Identify areas in which improved collaboration and coordination of
21 programs and activities will result in increased effectiveness or efficiency of service
22 delivery.

23 (5) Promote areas of research and program evaluation that can be
24 coordinated across agencies with an emphasis on applying evidence-based practices
25 to support treatment and intervention programs for offenders.

26 (6) Conduct a review of existing policies and practices and make specific
27 recommendations to the legislature for systemic improvement.

28 (7) Create and support local reentry councils in collaboration with
29 community stakeholders throughout the state.

1 §1199.9. Workforce development work release for participants and graduates of
2 program administered by the department

3 A. ~~Notwithstanding the provisions of R.S. 15:711 or 1111 or any other~~
4 ~~provision of law to the contrary, an inmate who has graduated from the program and~~
5 ~~obtained the proper certification or licensing as a skilled craftsman may participate~~
6 ~~in a workforce development work release program administered by the department.~~

7 B. Workforce development work release shall be for inmates who are
8 eligible for work release as provided for in RS 15:1199.7. Eligible participants shall
9 produce documentation to support having certification or licensure as a skilled
10 craftsman or who have graduated from the ~~inmate rehabilitation and~~ workforce
11 development training program and have been certified or licensed as skilled
12 craftsmen, or who are participating in the ~~inmate rehabilitation and~~ workforce
13 development training program and are working toward licensing or certification as
14 a skilled craftsman pursuant to R.S. 15:1199.12.

15 ~~C. B.~~ The department shall designate and adapt facilities for the purpose of
16 housing inmates with workforce development work release privileges, or it may
17 arrange and contract for other facilities, including but not limited to portions of
18 parish jails for inmates employed in the area.

19 ~~D. C.~~ Every inmate with workforce development work release privileges
20 shall be liable for the cost of his room, board, clothing, and other necessary expenses
21 of his employment or placement unless other means of payment are approved by the
22 department.

23 E. D. The wages of any inmate so employed shall be collected by the
24 secretary or his designated agent, shall be deposited in a public banking institution,
25 and a ledger showing the financial status of each inmate on the program shall be
26 kept.

27 F. E. The wages of each inmate shall be disbursed by the department for the
28 following purposes and in the order stated:

- 29 (1) The expenses for the board of the inmate including food and clothing.

1 (2) Likelihood of successful job placement and opportunity upon graduation
2 from the program, including the need for particular craftsmen at the time the inmate
3 enters the program.

4 (3) The availability of training facilities, instructors, and the number of
5 inmates enrolled for particular crafts.

6 ~~D.C.~~(1) Eligible inmates who have been admitted to the program shall
7 participate in a ~~one-year intensive~~ selected craft training program ~~in a selected craft~~.

8 (2) Upon completion of the ~~one-year intensive training program~~ selected
9 craft training program, the inmate shall qualify for continuing training, if available,
10 including workforce development, work release apprenticeship, or similar on-the-job
11 training that leads to the fulfillment of the requirements for licensing or certification
12 in the selected craft, to the extent and in the manner permitted by regulations adopted
13 by the department.

14 (3) The inmate shall take any necessary examination required for
15 certification or licensing in the selected craft if the inmate fulfills all requirements
16 for taking the examination.

17 (4) Upon successful completion of any certification or licensing as a skilled
18 craftsman, the inmate shall begin a ~~one-year~~ participation in the workforce
19 development work release program. The department may by rule provide for the
20 crediting of work release pursuant to the provisions of this Subsection toward this
21 requirement.

22 ~~E. D.~~ Upon completion of the ~~one-year~~ workforce development work release
23 program, the inmate shall be released on his diminution of sentence release date and
24 placed under good time parole supervision for the remainder of his sentence. It shall
25 be an additional condition of the inmate's supervised parole that he maintain
26 employment as a skilled craftsman at a location approved by the department, unless
27 extenuating circumstances prevent such employment.

28 ~~F. E.~~ The provisions of this Part shall not be construed to relieve an inmate
29 from meeting any certification or licensing requirements for a selected craft

1 established by a professional licensing board or association or which are otherwise
2 provided for by law.

3 * * *

4 §1199.14. Substance abuse treatment and counseling

5 * * *

6 B. The department ~~with the assistance of the council~~ shall determine the
7 amount of substance abuse treatment and counseling that inmates who participate in
8 the program shall receive.

9 Section 2. R.S. 15:1199.2(F) is hereby repealed in its entirety.

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)]

Thierry

HB No. 990

Abstract: Establishes the "Reentry Advisory Council and Offender Rehabilitation and Workforce Development Act".

Present law provides for the "Inmate Rehabilitation and Workforce Development Act".

Present law further provides for the inmate rehabilitation and workforce development program to be administered by DPS&C.

Proposed law changes the name of the act to the "Reentry Advisory Council and Offender Rehabilitation Workforce Development Act".

Present law provides that the inmate rehabilitation and workforce development advisory council shall function as an advisory body for DPS&C in administering the program.

Proposed law changes the name of the council to the Reentry Advisory Council and provides the following additional duties:

- (1) Identify methods to improve collaboration and coordination of offender transition services, including cross-agency training and information sharing that will help to improve outcomes for offenders.
- (2) Establish a means to share data, research, and measurement resources in relation to reentry initiatives with relevant agencies.
- (3) Identify funding areas that should be coordinated across agencies to maximize the delivery of state and community-based services as they relate to reentry.
- (4) Identify areas in which improved collaboration and coordination of programs and activities will result in increased effectiveness or efficiency of service delivery.

- (5) Promote areas of research and program evaluation that can be coordinated across agencies with an emphasis on applying evidence-based practices to support treatment and intervention programs for offenders.
- (6) Conduct a review of existing policies and practices and make specific recommendations to the legislature for systemic improvement.
- (7) Create and support local reentry councils in collaboration with community stakeholders throughout the state.
- (8) Commence offender reentry public education campaigns.
- (9) Enhance the role of faith and community-based services for formerly incarcerated persons.
- (10) Provide coordination of reentry initiatives across the state and ensure eligibility for Second Chance Act grant opportunities and other reentry grant opportunities.

Proposed law provides that an inmate may be eligible for participation in the program if not otherwise ineligible as provided in present law and meets the eligibility requirements of work release programs contained in present law.

(Amends R.S. 15:1199.1, 1199.2(A)(intro. para.), 1199.3(2), 1199.4(A) and (M), 1199.7(A), 1199.9, 1199.10(B)(1), 1199.11, 1199.12, and 1199.14(B); Adds R.S. 15:1199.2(A)(5), (6), (7), (8), and (9), (G), (H), (I), (J), (K), and (L), 1199.3(9), and 1199.4(N); Repeals R.S. 15:1199.2(F))

Summary of Amendments Adopted by House

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

1. Restored present law amount of deductions for room, board, and other administrative costs from inmate wages.

House Floor Amendments to the engrossed bill.

1. Provided technical changes.
2. Added eligibility requirements consistent with present law work release programs unless prohibited by present law workforce development provisions.
3. Changed amount of deductions for room, board, and other costs from 75% to 70% of gross inmate wages.