

Regular Session, 2012

HOUSE BILL NO. 228

BY REPRESENTATIVE SMITH

CRIMINAL/PROCEDURE: Authorizes the earning of additional good time by certain habitual offenders for participation in certain rehabilitation and treatment programs

1 AN ACT

2 To amend and reenact R.S. 15:828(C) and to enact R.S. 15:571.3(E), relative to diminution
3 of sentence for good behavior; to authorize certain inmates to earn good time for
4 participation in certified treatment and rehabilitation programs; 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. 15:828(C) is hereby amended and reenacted and R.S. 15:571.3(E)
8 is hereby enacted to read as follows:

9 §571.3. Diminution of sentence for good behavior

10 * * *

11 E. Notwithstanding any other provision of law to the contrary, any offender
12 in the custody of the Department of Public Safety and Corrections who has been
13 sentenced as an habitual offender pursuant to the provision of R.S. 15:529.1 may
14 earn additional good time for participation in certified treatment and rehabilitation
15 programs as provided for in R.S. 15:828(B), unless the offender was convicted of a
16 sex offense as defined by R.S. 15:541 or a crime of violence as defined by R.S.
17 14:2(B).

18 * * *

1 §828. Classification and treatment programs; qualified sex offender programs;
2 reports; earned credits
3 * * *
4 C. ~~A prisoner who has been denied eligibility for diminution of sentence for~~
5 ~~good behavior as provided in R.S. 15:537 shall not be eligible for additional good~~
6 ~~time as provided in Subsection B of this Section.~~ Notwithstanding any other
7 provision of law to the contrary, any offender in the custody of the Department of
8 Public Safety and Corrections who has been sentenced as an habitual offender
9 pursuant to the provision of R.S. 15:529.1 may earn additional good time for
10 participation in certified treatment and rehabilitation programs as provided for in
11 Subsection B of this Section, unless the offender was convicted of a sex offense as
12 defined by R.S. 15:541 or a crime of violence as defined by R.S.14:2(B).

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)]

Smith

HB No. 228

Abstract: Authorizes the earning of additional good time by certain habitual offenders for participation in certain rehabilitation and treatment programs.

Present law requires the secretary of DPS&C to adopt rules and regulations for local jail facilities and state correctional institutions to encourage voluntary participation by inmates in certified treatment and rehabilitation programs, including but not limited to basic education, job skills training, values development, faith-based initiatives, therapeutic programs, and treatment programs.

Present law further provides that when funds are provided, such educational programs shall be available at each penal or correctional institution under the jurisdiction of the department. The rules and regulations may include provisions for furloughs or the awarding of good time for offenders who are otherwise eligible. Offenders may be awarded up to 90 days good time for satisfactory participation in each approved program, but no offender shall receive more than 250 days total good time for program participation.

Present law prohibits certain habitual offenders from earning good time diminution of sentence.

Proposed law allows a habitual offender, in the custody of DPS&C, who was not convicted of a sex offense or a crime of violence, to earn additional good time for participation in certified treatment and rehabilitation programs.

(Amends R.S. 15:828(C); Adds R.S. 15:571.3(E))