

## **Improving Public Safety, Controlling Corrections Costs Legislation for the 2011 Regular Session**

Louisiana is repeatedly ranked with the highest incarceration rate in the country. As of December 2010, the state's prison population was 39,391 inmates—more than double what it was 20 years ago. The cost to Louisiana taxpayers has tripled: 20 years ago, the state spent \$213 million on corrections. Today, corrections costs are \$670 million. Despite this significant increase in spending, Louisiana has not seen an adequate improvement in public safety. Crime rates are too high and the revolving door of prison continues.

Seeking strategies for more public safety at less cost, Governor Jindal and the Louisiana Legislature tasked a bipartisan, inter-branch Sentencing Commission to conduct a rigorous review of the state's criminal statutes and make recommendations for improvements. In 2010 and 2011, the Louisiana Sentencing Commission convened meetings with elected officials, criminal justice experts, practitioners, and key public safety stakeholders throughout the state. Based on a careful examination of prison population data and a strong commitment to evidence-based corrections practices, the diverse Commission unanimously approved policy recommendations to the Louisiana Legislature for consideration in the 2011 regular session. The five recommended bills would:

- **Ensure available prison space for violent and high-risk offenders**
- **Increase offender accountability and slow the revolving prison door**
- **Improve transparency of the system for victims of crime**
- **Improve Louisiana's taxpayers' return on its Corrections investment, saving an estimated \$293 million over the next 10 years**

- 1. Enact swift and certain administrative sanctions for parole and probation violations (HB415, Lopinto).** A large proportion of Louisiana's prison admissions are offenders who are revoked from probation or parole. Most of these revocations are not for new crimes, but for breaking the rules of their supervision, such as not reporting to a probation officer or failing a drug test. HB415 authorizes the Department of Public Safety and Corrections to impose administrative sanctions for these supervision violations, including short stays in jail, without having to go back to court. Other sanctions could include electric monitoring, community service work, intensive supervision, additional drug testing, or mandatory attendance at a day-reporting center. By permitting administrative action, sanctions will occur much more quickly than they do today. Research shows these swift and certain consequences are far more effective at deterring offenders from future violations, and they save the state the expense of long prison terms.
  
- 2. Improve the operations of the Louisiana Parole Board (SB202, Guillory).** This bill requires each Parole Board member to complete initial training and at least eight hours of annual training, building upon the 2010 legislation that established basic qualifications for new members of the Parole Board. The bill also requires the Department of Public Safety and Corrections to establish a plan for conducting a research-based risk and needs assessment for parole-eligible inmates in both state prisons and parish jails—which evaluates the risk of

an offender committing a new crime—and to provide that information to the Parole Board for their review in making parole decisions.

- 3. Revise the criteria for parole eligibility (HB416, Lopinto).** In 2009, prisoners convicted of non-violent offenses made up 82 percent of the 17,223 offenders admitted to Louisiana prisons. This large number of non-violent offenders, along with longer sentences compared to the national average, has resulted in a state prison system with a high percentage of potentially low-risk, non-violent, non-sex offense, non-habitual offenders who are taking up bed space and consuming resources that could be used to target violent, high-risk offenders. Current Louisiana law authorizes the Parole Board to consider first-time parole-eligible offenders after serving 1/3 of their sentence and second-time offenders after serving 1/2 of their sentence. HB416 authorizes the Parole Board to consider certain non-violent offenders after serving 25 percent of their sentences. This legislation applies only to non-violent, non-sex offenders who are sentenced after the effective date of the legislation. It would not change the parole eligibility for any offenders in prison today. HB416 is estimated to save Louisiana taxpayers more than \$6 million in the first year and more than \$75 million over 10 years. This bill is patterned after recently enacted legislation in Mississippi, which lowered the parole eligibility period for non-violent offenders from 85 percent to 25 percent of sentence. Arkansas, Kentucky, Maryland, North Carolina, South Carolina, and Texas also have parole eligibility for non-violent offenders at 25 percent or lower.
- 4. Improve oversight of home incarceration (HB106, Moreno).** Louisiana does not have a central repository for information about offenders on home incarceration, the private companies supervising them, or the conditions of the prosecution or sentence. HB106 requires that all providers of home incarceration or electronic monitoring services submit annual and monthly data on defendants supervised to the court, the parish sheriff, and the Department of Public Safety and Corrections.
- 5. Simplify and consolidate the “good time” and earned credit statutes (HB414, Lopinto).** State prisoners can earn “good time” and “earned time” credits by complying with prison rules and participating in programs to reduce the likelihood of recidivism. Louisiana’s multiple “good time” provisions often make it difficult and confusing for crime victims, defendants and even the prosecutors or judges to determine, for a given sentence, what amount of time the offender will serve in prison or under “good time” parole supervision. HB414 simplifies and consolidates the “good time” and earned credit statutes so that all criminal justice stakeholders, including crime victims, will be able to determine the minimum time an inmate must serve in prison. “Good time” calculations would be made in days rather than in months and offenders still must serve at least 40 percent of the sentence (compared to 46 percent under current law) before their “good time” parole supervision date. This will allow the Department to focus its resources on high risk, violent offenders. This provision only applies to non-violent, non-sex offenders who are sentenced after the effective date of the legislation. It would not change the “good time” for any offenders in prison today. HB414 is estimated to save Louisiana taxpayers more than \$4 million in the first year and more than \$253 million over 10 years.