

Special Session Fact Checker

Claim	Fact
<p>“Costs of these policies [eliminating parole and good time credit] will wash out with savings”</p>	<p>The current Fiscal Notes of HB 9 and HB 10 amount to over \$19.2 million with additional losses of \$1.2 million annually in daily supervision costs.</p> <p>The Fiscal Note identifies potential gradual savings for HB 9 with reduced caseloads of the 618 parole and probation officers. The average caseload is 129, with average parole releases currently at 595 individuals. This amounts to the removal of 5 probation and parole officers at a savings of \$225,000.</p> <p>Additionally with emergency-level staff shortages in DPSC, the parole and probation officers are likely to shift to another agency ensuring any savings are a wash.</p>
<p>“Certainty of sentencing provides the best deterrent effect.”</p>	<p>Research finds that the certainty of being caught is a vastly more powerful deterrent than the certainty of a long sentence. Studies show that investment in crime prevention strategies and resources contributes to this deterrent effect far more than certainty in the amount of punishment.</p>
<p>“2/3 of individuals released from parole in 2022 were juvenile lifers.”</p>	<p>Juvenile Lifers make up an extremely small portion of parole releases. There were approximately 300 incarcerated when Louisiana’s Legislature gave them parole eligibility in 2017. Of the juveniles sentenced to life who have had a parole hearing since 2017, 67% have been granted.</p>
<p>“HB 9 and HB 10 will not ramp up the prison system”</p>	<p>In 2016, Louisiana required violent offenders to serve 85% of their sentence and non-violent offenders to serve 40% of their sentence. The population under this release system had 8,500 more individuals in custody. Requiring all individuals (both violent and non-violent offenders) to serve a minimum of 85% will exceed 2016 levels and well above 8,500 additional individuals.</p>
<p>“These bills do not deal with detention centers”</p>	<p>53% of individuals incarcerated in Louisiana’s state system are currently incarcerated in local detention facilities. Any change in the time served will absolutely impact local detention facilities.</p>

<p>“There is no data about JRI being effective”</p>	<p>Oklahoma, Texas, South Carolina, Georgia, and Utah all participated in JRI and experienced declines in their prison populations, recidivism rates, or crime rates.</p>
<p>“Judges are shackled by the 2017 legislation so that is why less people are being revoked on supervision.”</p>	<p>Since 2016, successful completions of probation increased 4% and successful completions of parole increased 28%.</p>
<p>“We are the largest incarcerator of the world despite JRI.”</p>	<p>In 2022, the most recent date for data, Mississippi is the largest incarcerator in the world at a full 10% difference between it and Louisiana. Prior to adopting JRI reforms, Louisiana was the largest incarcerator in the world.</p>
<p>“States have done what we are doing, and it has been successful”</p>	<p>Five out of the 6 states that eliminated parole since the early 1990’s and 2000’s have seen their crime rates increase over the past decade. No state has moved to repeal parole in the last 20 years.</p>
<p>“This is all being done with research”</p>	<p>Research overwhelmingly supports the use of incentives such as good time and parole eligibility for effective behavior change and rehabilitation. Studies show that, particularly for nonviolent offenders, longer sentences can increase recidivism.</p>
<p>“JRI did nothing to improve recidivism or crime rates”</p>	<p>Since 2016, recidivism, defined as the return to prison within 3 years of release, has decreased 15% for releases in 2019 (pre-COVID).</p> <p>Crime rates in Louisiana have decreased 5% over the past 2 years.</p>
<p>“The Department of Correction’s recent recidivism calculations are 3-5%”</p>	<p>Data from the Department of Correction’s 2022 annual report identifies a recidivism rate reduction of 15% between 2016 (pre JRI releases) and 2019 (post JRI releases and pre-COVID). Recidivism, consistent with agencies across the country, is defined as the return to prison within three years of release.</p> <p>The 3-5% data point actually refers to the percentage point difference between reincarceration within 1 year of release between 2016 and 2020. This is a less widely used metric to understand recidivism. Data from the Department shows a 26% decrease in recidivism and a 4-percentage point difference between 15.3% in 2016 and 11.3% in 2020.</p>
<p>“JRI cost the state \$70 million dollars”</p>	<p>Louisiana received JRI funding from President Trump’s Justice Department in 2017. This award came at no cost to the state.</p>