



LOUISIANANS FOR PRISON ALTERNATIVES

Sentencing and Over-Incarceration in Louisiana

Louisianans commit crimes at about the same rates as people in neighboring states. Yet our state's incarceration rate is the highest in the United States, a nation that is a world leader in incarceration. If people in Louisiana are no more criminal than people in other states, why does Louisiana have so many more people in prison?

THE PROBLEM

Louisiana over-incarcerates nonviolent offenders

- In 2015, 86 percent of prison admissions were for nonviolent primary offenses. The 10 most common crimes that result in a prison admission are nonviolent.
- Louisiana incarcerates nonviolent offenders at twice the rate of South Carolina and nearly three times the rate of Florida, even though Louisiana's crime rates are similar.
- Louisiana's sentencing laws are inconsistent and confusing. Under current law, a person who steals a cell phone could serve up to six months in jail, whereas a person who unknowingly buys a stolen cell phone could serve up to 10 years in prison for possessing stolen property.

Louisiana keeps prisoners incarcerated long after they cease to be a danger to society

- Over the past decade, Louisiana has seen an increase in the number of inmates with long prison stays, despite research that shows many people "age out" of crime before the end of their sentence.
- Researchers have consistently found that longer prison terms are not better at changing criminal behavior than shorter terms. What's more, incarceration is not more effective than alternatives for reducing recidivism.
- Nearly two-thirds of people serving long sentences are older than 45 and might be appropriate candidates for parole.

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Louisiana fails to provide mental health care and substance abuse treatment to those in need

- Many people with mental health issues and substance abuse problems find themselves in prison instead of treatment programs.
- Louisiana's behavioral health system presently serves only 30 percent of adults with serious mental illness and only 13 percent of adults with addictive disorders.

SOLUTIONS

Ninety-five percent of Louisianans who go to prison will eventually return to our communities. It is critical to public safety that they are given the support they need to be productive members of society and not reoffend.

Louisiana's criminal code needs to be brought in line with neighboring states that have lowered incarceration, saved money and improved public safety. To achieve this goal, the Legislature must vote in favor of the following bills:

SB 220 (Alario) – This legislation implements a clear and consistent sentencing structure that will ensure the punishment fits the crime. It allows nonviolent individuals to be eligible for alternatives to incarceration. It also reforms Louisiana's parole system to allow individuals convicted of noncapital crimes to demonstrate their rehabilitation and personal growth in a parole hearing – a practice found in 48 other states.

SB 221 (Alario) – The bill reforms Louisiana's habitual offender law to ensure it is used to punish only the most serious offenses. In 2015, several hundred Louisianans were convicted under the law, which can send a person to prison for a decade or more. An exponentially larger number of defendants accept plea deals – even when facing questionable charges – rather than risk a decades-long sentence for what are frequently victimless offenses.

SB 16 (Claitor) – Under this bill, Louisiana would extend the possibility of parole to juveniles who have received life sentences. It would bring the state into compliance with U.S. Supreme Court decisions regarding juvenile offenders sentenced to life. It also reflects the most recent science, which shows young people's brains – and their decision-making abilities – are still developing.

Louisianans for Prison Alternatives (LPA) is a diverse statewide coalition of organizations committed to reducing Louisiana's imprisonment rate. LPA sees an urgent need for the Louisiana State Legislature to pass comprehensive criminal justice reform legislation to make our system more just, accountable and transparent to all Louisianans.