

2015 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 175

BY REPRESENTATIVE JEFFERSON

A CONCURRENT RESOLUTION

To urge and request that the Department of Public Safety and Corrections make recommendations for the development of a work release program which would be suited for individuals convicted of offenses involving the failure to pay child support in order to facilitate employment and the fulfillment of child support obligations, and make recommendations to the Louisiana Legislature prior to the convening of the 2016 Regular Session.

WHEREAS, the obligation to support children is one of the most fundamental and basic obligations; and

WHEREAS, R.S. 9:315 provides, in part, that "child support is a continuous obligation of both parents" and that "children are entitled to share in the current income of both parents"; and

WHEREAS, Louisiana law provides for the awarding and collecting of child support obligations to support Louisiana children; and

WHEREAS, the failure to pay a child support obligation may result in criminal prosecution through either criminal neglect of family or the failure to pay a child support obligation, and can result in incarceration of individuals who are convicted of those offenses; and

WHEREAS, incarceration often results in a person having no opportunity to obtain necessary funds and further perpetuates the failure to pay child support; and

WHEREAS, Louisiana law also has established work release programs which are operated either by the Department of Public Safety and Corrections or the sheriff; and

WHEREAS, work release programs are designed to allow individuals who are convicted of certain crimes an opportunity to learn a skill or trade and to successfully reenter society upon completion of their sentences; and

WHEREAS, traditional work release programs and eligibility criteria are not well suited for persons convicted for failure to pay child support obligations due to the average length of incarceration of those offenders.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby request that the Department of Public Safety and Corrections make recommendations for the development of a work release program which would be suited for individuals convicted of offenses involving the failure to pay child support in order to facilitate employment and the fulfillment of child support obligations and make recommendations to the Louisiana Legislature prior to the convening of the 2016 Regular Session.

BE IT FURTHER RESOLVED that the Department of Public Safety and Corrections work in conjunction with the Louisiana Sentencing Commission, the Louisiana Sheriffs' Association, the Criminal Code and Code of Criminal Procedure Committee of the Louisiana State Law Institute, the Department of Children and Family Services, and any other stakeholders it deems appropriate in conducting this study.

BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted to the secretary of the Department of Public Safety and Corrections.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE