

§ 832. Work by inmates; allowance, LA R.S. 15:832

West's Louisiana Statutes Annotated

Louisiana Revised Statutes

Title 15. Criminal Procedure (Refs & Annos)

Chapter 7. Prisons and Correctional Institutions (Refs & Annos)

Part III-a. Louisiana Department of Corrections

LSA-R.S. 15:832

§ 832. Work by inmates; allowance

Effective: August 1, 2015

Currentness

A. The department shall provide employment opportunities and vocational training for all inmates, regardless of gender, consistent with available resources, physical custody, and appropriate classification criteria. Insofar as is possible, the equipment used in such programs, the conditions of employment, the management practices, and the general operating procedures thereof shall approximate those of private industry. The provisions of Part IX of Chapter 2 of Title 51 of the Louisiana Revised Statutes of 1950¹ with respect to prison-made goods shall be applicable to goods made, manufactured, or produced by the inmates of all institutions and facilities, under the jurisdiction of the department.

B. Inmates may be compensated, within the limits in grades fixed by the secretary of the department, for work performed, including institutional maintenance and attendance at training programs. The inmate shall contribute to the support of his dependents who may be receiving public assistance during the period of commitment if funds available to him are adequate for such purpose.

C. The department may enter into contractual agreements for the use of inmate labor by any department, board, commission, or agency of this state responsible for the conservation of natural resources or the construction and maintenance of public works, subject to the following restrictions:

(1) No such contract shall be entered into with respect to the construction or maintenance of roads or highways, except as otherwise provided by law.

(2) No inmate shall be assigned to maintenance work at public facilities outside the department in accordance with this Section when such work requires housing the inmate in a parish prison or other local housing facility and the inmate has been convicted of first or second degree murder, attempted first or second degree murder, aggravated or first degree rape, attempted aggravated or first degree rape, forcible or second degree rape, aggravated kidnapping, aggravated arson, armed robbery, attempted armed robbery, or the inmate has been sentenced as an habitual offender under R.S. 15:529.1, except during the last six months of his term.

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D. When inmates are assigned to maintenance work at public facilities outside the department, the contracting authority shall agree:

- (1) To accept the physical custody of the inmate.
- (2) To physically house the inmate in the parish jail or prison at all times and to allow the inmate to leave the parish jail or prison, or other housing facility, only to perform work to which he has been assigned.
- (3) To notify the department prior to granting the inmate any pass, furlough, or emergency leave, said notification to include the reasons for the release and the duration thereof.
- (4) To permit the inmate to engage only in work designed to conserve natural resources, maintain or improve public property or to assist with the daily functioning of the jail, prison, or courthouse and to prohibit the inmate from engaging in any work for a private individual or business entity whether said inmate is paid or not.
- (5) To refer to the department for processing and approval in accordance with department regulations² for the inmate to be transferred to a work release type program.
- (6) To notify the department promptly of any escape, new offense, or conviction involving the inmate, or of any unusual occurrence involving the inmate.
- (7) To maintain custody of the inmate until he is ordered released from custody or returned by the department; and to provide transportation of the inmate to and from any state correctional institution as may be required.

E. The department shall agree to compute the inmate's sentence and notify the sheriff when the inmate becomes eligible for parole or final discharge.

F. In addition, the department shall be responsible for monitoring such maintenance programs to assure that the above conditions are fulfilled. Should the contracting authority fail to abide by any condition of the agreement, the department shall have the right to terminate the agreement and all similar agreements between the department and the contracting authority.

G. Further, the department shall not assign an inmate on maintenance to the custody of any sheriff except the sheriff of the parish where the inmate is domiciled or sentenced, unless specifically authorized by the secretary.

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H. The department shall reimburse the sheriff, for keeping and feeding any inmate assigned to his custody, in accordance with the amount set by R.S. 15:824(B).

The provisions of this Section shall not be construed to limit the applicability of R.S. 38:2212 to any work undertaken pursuant to this Section.

Credits

Added by Acts 1968, No. 192, § 1. Amended by Acts 1978, No. 303, § 1; Acts 1978, No. 510, § 1; Acts 1978, No. 770, § 1; Acts 1983, 1st Ex.Sess., No. 53, § 1; Acts 1985, No. 786, § 1; Acts 1993, No. 872, § 1; Acts 1997, No. 640, § 1, eff. July 3, 1997; Acts 2006, No. 87, § 1; Acts 2015, No. 184, § 2.

Editors' Notes

APPLICATION--ACTS 2015, NO. 184

<Section 9 of Acts 2015, No. 184 provides:>

<“Section 9. Nothing in this Act alleviates any person arrested, convicted, or adjudicated delinquent of aggravated rape, forcible rape, or simple rape prior to the effective date of this Act from any requirement, obligation, or consequence imposed by law as a result of that arrest, conviction, or adjudication including but not limited to any requirements regarding the setting of bail, sex offender registration and notification, parental rights, probation, parole, sentencing, or any other requirement, obligation, or consequence imposed by law as a result of that arrest, conviction, or adjudication.”>

<Acts 2015, No. 184 became effective on August 1, 2015.>

Notes of Decisions (34)

Footnotes

1 In subsec. A, R.S. 51:691 et seq.

2 So in enrolled bill (in par. (5) of subsec. D). See note below as to Acts 1978, No. 303.

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Current through the 2017 First Extraordinary session.