

# State of Louisiana Uniform Commitment Order

## Instructions for Completion of Form

Please utilize one form per docket number.

### A. DEFENDANT/CASE IDENTIFIERS

1. Name of Defendant: Name of person being sentenced in the format *first middle last*.
2. Date of Birth: In the format MM/DD/YYYY.
3. State ID Number: Number assigned to defendant by Louisiana State Police at the time of fingerprinting, if available.
4. Race: Race of person being sentenced (W-White, B-Black, A-Asian or Pacific Islander, I-American Indian or Alaskan Native, U-Unknown).
5. Sex: Sex of person being sentenced (M-Male, F-Female, U-Unknown).

### B. ADJUDICATION/SENTENCE

1. Sentence: Select if this form is for an original sentence, an amended sentence, a probation revocation, or a sentence resulting in a habitual offender hearing as per R.S. 15:529.1.
  - a. In sentencing after a revocation hearing or an amended sentence, the UCO should be completed like an original UCO.
  - b. No UCO is required for Mental Institution Commitments. The procedure to follow is set forth in C.Cr.P.Art. 648.1 and 654.1.
2. Charges: (Revised Statute & Offense): Enter the R.S. code for the statute under which the defendant was charged and the offense description: Example: "14:30.1, 2nd Degree Murder." If one docket number/bill of information includes more than 5 charges and additional fields are needed, clerks should use an additional UCO form, label it "Page 2 of 2" and indicate in this field, "Charge (or Count) 6," Charge 7," etc. The R.S. code and offense description must also be entered.
  - a. If the charge in the bill of information is amended or a plea is agreed upon before adjudication, then enter the new, amended charge. The charges, as amended or altered in the Bill of Information, should be identical to those listed on the UCO.
  - b. If the offender is convicted as a habitual offender, and the habitual offender proceeding occurs at a later date from the original sentencing, then a new UCO must be completed. The "Charges" field in section B(2) will be completed anew with only the habitual offender charge, 15:529.1. Include the original docket number and charge that is vacated adjacent to the "habitual" field in B1. *The date of adjudication as an habitual offender will be recorded in field C(4).*
3. Number of counts: Number of counts, per statute, for which the defendant was convicted. If a sentence is later vacated on a motion to amend, after remand for correction, or for any other reason, a new UCO will be completed. The date the sentence is vacated is recorded in cell C(5).
4. Verdict/Plea: Manner in which defendant was convicted: Guilty, Guilty (*responsive verdict conviction charge*), Not Guilty, Nolo Contendere, Dismissed or Nolle Prosequi.
5. Modifiers: Enter in this field any modifiers to the conviction such as, 1st Offense, 2nd Offense, 3rd Offense, Principal (14:24), Attempt (14:27), Conspiracy (14:26), Accessory after the Fact (14:25) and Drug Attempt and Conspiracy (40:979). (*Modifiers can be entered as 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 14:26, 14:27, etc.*).
  - a. Factors that are enhancements to a sentence, such as drug name, weight, victim age, use of firearm, etc., are entered in the Comments field E(5).
6. Total Sentence Length: The length of time a defendant is sentenced for the convicted offense as stated by the sentencing judge, including any time that may be suspended under the sentence. Example: *Sentence of the court is 5 years hard labor, 2 years 6 months suspended, 2 years 6 months on active probation. The Total Sentence Length would be 5 years. For death cases, indicate "death" in this field.*
7. Amount of Time in DPS&C Custody: The total length of the sentence imposed that is to be served in the custody of DPS&C. This is intended to address the split sentence (some in custody; some on probation). This field is intended to capture the portion of the sentence that is not suspended. The time indicated in this field is the time the judge intends the offender to serve in prison. Example: *Sentence of the court is 10 years hard labor, 4 years suspended. The Amount of Time in DPS&C Custody would be 6 years.*

**The actual time served will be calculated by DPS&C based on applicable parole and good time laws.**

8. Amount of Time to be served without benefit: Enter the amount of time (years/months/days) that the offender must serve in each conviction without benefit of probation, parole or suspension of sentence, where applicable. If the sentence is a life sentence without the possibility of probation, parole or suspension of sentence, then indicate "life without benefits" in this field. This field is also used if benefits will apply, indicating "life with benefits." In death sentences, indicate "death."

**C. SENTENCE/OFFENSE DATES** (Information should correspond to the Counts in Section B)

1. Offense Date: Date of offense corresponding to the charge listed in Section B.
2. Adjudication Date: Date charge was adjudicated/disposed.
3. Sentence Date: Date defendant is being sentenced for offenses listed in Section B. If it is a probation revocation, the sentence date will be the original sentence date.
4. Date of Adjudication as a Habitual Offender: Date that the defendant is adjudicated as a habitual offender as per La. R.S. 15:529.1 is indicated in this field.
  - a. If the offender is convicted as a habitual offender, and the habitual offender proceeding occurs at a later date from the original sentencing, then a new UCO must be completed. At that time, the judge will vacate the original sentence and impose a new sentence as per the offender's adjudication as a habitual offender.
5. Date Original Sentence is Vacated: Date that the original sentence is vacated.
6. Revocation Date: If the UCO is being completed subject to a revocation hearing, and the judge revokes the defendant's probation, then enter the revocation date.

**D. SENTENCE CONDITIONS**

1. Concurrent with any or every sentence the offender is serving: Check "YES" or "NO" to indicate if the court wishes the sentence imposed pursuant to this UCO to be concurrent with every sentence the defendant may be serving.
2. Concurrent with: When the court wishes the sentence to be served concurrently with only some sentences the defendant is serving, then list here the count(s), or docket numbers and the corresponding parish and judicial district, with which this sentence will run concurrent.
3. Consecutive to: When the court wishes the sentence to be served consecutive with only some sentences the defendant is serving, then list all count(s), or docket numbers along with corresponding parish and judicial district, with which this sentence will run consecutive.
4. Credit for Time Served: Check this box to indicate the defendant is to be given credit for time served under the provision of C.Cr.P. Art. 880. DOC will not recognize overlapping jail credit, except in the instance of concurrent sentences and then only for time spent in jail on the instant felony. (La. C.Cr.P. Art. 880E)
5. Waiver of mandatory minimum sentence: Check to indicate there is a waiver of the mandatory minimum sentence for the conviction. The judge is required to state on the record whether the statute was applied in determining the sentence. The clerk will simply record this on the form in accordance with the judge's statement. Crimes of violence and sex offenses are excluded from the waiver.
6. Habitual Offender Proceeding: Check to indicate if the court is made aware that this will be part of a habitual offender proceeding. This information is needed to alert DPS&C of the potential that this sentence will be vacated and the offender will be re-sentenced as a habitual offender.
7. ReEntry Court: Check this box if the defendant is to participate in the ReEntry Court Program as per La. R.S. 13:5401. To expedite transfer of candidates to the Program, the court should submit a copy of the UCO to [ReentryCourt@doc.la.gov](mailto:ReentryCourt@doc.la.gov).
8. Date the defendant is ordered to report to serve his sentence: Check this box AND write the date ordered by the judge to indicate that the court allowed the defendant some time prior to reporting to DPS & C to begin serving his sentence. (See C.Cr.P. Art. 331. Discharge of Bail Obligation for more information.)
9. Split Sentence: Check this box if the judge suspended part of the sentence and ordered the defendant to serve a portion of his sentence at hard labor and a portion as probation.

10. Sex Offender Registration: For those felony offenders convicted of a sex offense, check this box to indicate that under the provision of C.Cr.P. Art. 895 and R.S. 15:541, et seq., the defendant shall comply with the Sex Offender Registration statutes.

#### **E. REFERRALS TO DPS&C**

1. Substance Abuse Disorder Treatment Screening: Check this box if the judge wants to recommend that the offender be referred to DPS&C staff for substance abuse disorder treatment or screening. If the judge would like to be notified when the defendant is transferred for substance abuse treatment, the judge may include a note and an email address in the Comments field (E5) requesting notification.
2. Mental Health Evaluation: Check this box if the judge is recommending a mental health evaluation following sentencing. The Court should submit a copy of the UCO recommending a mental health evaluation to [mentalhealth@doc.la.gov](mailto:mentalhealth@doc.la.gov) for immediate action. Included in the email should be the reason for the judges' recommendation for the mental health screening. These reasons should also be included in the "comments" field (E5). Examples might include, "Mother indicated at sentencing that defendant has a history of mental health incidents and has been hospitalized in the past." or, "Defendant was unable to communicate appropriately during court proceedings."  
*Sexual Offender Assessments should be referred through the Behavioral Health email address and noted in the email as such.* [mentalhealth@doc.la.gov](mailto:mentalhealth@doc.la.gov).
3. Intensive Incarceration: Check this box if the judge wants to recommend that the offender participate in the intensive incarceration program while incarcerated. To expedite transfer of candidates to the program, the court should submit a copy of the UCO to [IntensiveIncarceration@doc.la.gov](mailto:IntensiveIncarceration@doc.la.gov).
4. Transitional Work Program: Check this box if the judge wants to recommend that the offender to be housed at and participate in Transitional Work Program (TWP) upon sentencing. The Court may delay sentencing in order for DPS & C to determine if the offender meets requirements. The Courts should submit a copy of the UCO recommending TWP to [twprecommendations@doc.la.gov](mailto:twprecommendations@doc.la.gov) for immediate action.
5. Comments: This space is intended for any additional instructions/recommendations and sentencing enhancements from the judge that are relative to the offender's incarceration.

#### **F. INVOLVED PARTIES**

This section contains the printed names of the parties involved at the time of sentencing: Minute Clerk, Court Reporter, Prosecutor, and Defense Attorney. The addresses of the prosecutor and defense attorney are requested.

Each page of the UCO must be accurately dated and signed by the Judge. Include the judge's printed name and mailing address in the box provided.

***Signature and Date: The Judge must sign each page of the UCO; the defendant's initials are optional. Each court may modify this form to automatically populate the judge's name and mailing address in the indicated fields. Judges may use their electronic signature for certain matters (A.G. Op. #14-0187, Jan. 9, 2015).***

***The completed, original UCO should be forwarded to the Sheriff within 72 hours of the defendant's commitment to the Department of Public Safety and Corrections per C.Cr.P. Art. 892.***