

SB 125

EXTENDING LOUISIANA'S WRONGFUL CONVICTION COMPENSATION CAP

INNOCENCE
& JUSTICE
LOUISIANA

OVERVIEW:

Louisiana provides compensation to people who were wrongfully convicted and imprisoned for crimes they did not commit. Under current law, compensation is limited to \$40,000 per year for up to 10 years, even if a person spent decades in prison. This means that individuals who lost far more than 10 years of their lives receive compensation for only a portion of the time taken from them.

SB 125 makes a practical adjustment to the existing law by extending the compensation cap from 10 years to 15 years. This allows compensation to more closely reflect the time innocent people actually lost while still using the state's existing compensation framework.

KEY FACTS:

- Of the **88 people exonerated in Louisiana, 26 served more than 25 years** in prison
- **40 people have received compensation** under Louisiana's wrongful conviction law
- Those individuals collectively served **779 years of wrongful imprisonment**
- **Current law compensates less than half** of those years

Most IJLA clients served well over 10 years in prison for crimes they did not commit. Many have already reached the current cap and cannot receive additional support unless SB 125 passes.



REAL IMPACT

One example is Henry James, who spent nearly 30 years wrongfully imprisoned before DNA evidence proved his innocence in 2011. By the time he returned home, he had lost nearly three decades of his most productive working years.

Like many exonerees, he returned to society without savings, retirement benefits, or Social Security contributions from those years. Compensation helps cover the basic necessities of rebuilding life after wrongful imprisonment, including housing, medical care, and everyday living expenses. Under current law, Henry has already reached Louisiana's 10-year compensation cap, meaning he receives no support for nearly 20 additional years he lost.

SB 125 would extend the cap so that compensation better reflects the years taken from people who were wrongfully imprisoned.

THIS BILL WOULD:

- Allow individuals who lost decades in prison to receive compensation for more of the time taken from them
- Ensure exonerees who have already reached the current cap can continue receiving support
- Increase the share of compensated years from 48% to nearly 70% of total years lost

While still not perfect, this adjustment moves Louisiana toward a fairer compensation system.

FISCAL IMPACT:

Louisiana allocated less than 0.003% of its \$4.2 billion budget to the Innocence Compensation Fund in 2025. SB 125 simply extends the use of the existing fund so it can support exonerees for five additional years.

Wrongful convictions cost innocent people decades of their lives. SB 125 ensures Louisiana's existing compensation system better reflects the years that were taken and helps innocent people rebuild when they return home.

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