

Regular Session, 2014

HOUSE BILL NO. 329

BY REPRESENTATIVE LOPINTO

PAROLE: Amends provisions of law regarding parole eligibility

1 AN ACT

2 To enact R.S. 15:574.4(A)(5), relative to parole eligibility; to provide for eligibility for  
3 parole consideration for certain inmates who are at least fifty years of age and have  
4 met certain conditions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:574.4(A)(5) is hereby enacted to read as follows:

7 §574.4. Parole; eligibility

8 A.

9 \* \* \*

10 (5) Notwithstanding any provision of law to the contrary, unless eligible for  
11 parole at an earlier date, a person committed to the Department of Public Safety and  
12 Corrections for a term or terms of imprisonment with or without benefit of parole or  
13 a person serving a life sentence ordered pursuant to the provisions of R.S. 15:529.1  
14 that were ameliorated by Section 2 of Act No. 403 of the 2001 Regular Session of  
15 the Legislature shall be eligible for parole consideration upon reaching the age of  
16 fifty years old if all of the following conditions are met:

17 (a) The offender has not been convicted of a crime of violence as defined in  
18 R.S. 14:2(B); however, for purposes of this Paragraph, a conviction shall not be  
19 considered a crime of violence if in fact physical violence was not perpetrated  
20 against the victim in the commission of the crime.

1           (b) The offender has served at least fifteen years of imprisonment in actual  
2           custody.

3           (c) The offender has not committed any disciplinary offenses in twelve  
4           consecutive months prior to the parole eligibility date.

5           (d) The offender has completed substance abuse treatment as applicable.

6           (e) The offender has completed anger management treatment as applicable.

7           (f) The offender has obtained a low-risk level designation determined by a  
8           validated risk assessment instrument approved by the secretary of the Department  
9           of Public Safety and Corrections.

10           (g) The offender has completed the mandatory minimum of one hundred  
11           hours of prerelease programming in accordance with the provisions of R.S. 15:827.1,  
12           if such programming is available.

13           (h) The offender has obtained a GED credential, unless the offender has  
14           previously obtained a high school diploma or is deemed by a certified educator as  
15           being incapable of obtaining a GED credential due to a learning disability or because  
16           such programming is not available. If the offender is deemed incapable of obtaining  
17           a GED credential, the offender shall successfully complete at least one of the  
18           following:

19                   (i) A literacy program.

20                   (ii) An adult basic education program.

21                   (iii) A job skills training program.

22   \*       \*       \*

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Lopinto

HB No. 329

**Abstract:** Provides for parole eligibility for certain offenders.

Present law provides for eligibility for parole consideration for certain offenders.

Proposed law retains present law and makes an exception to present law to provide that notwithstanding any provision of law to the contrary, unless eligible for parole at an earlier date, a person committed to the Department of Public Safety and Corrections (DPS&C) for a term or terms of imprisonment with or without benefit of parole or a person serving a life sentence ordered pursuant to the Habitual Offender Law enacted by Act No. 1245 of the 1995 R.S., shall be eligible for parole consideration upon reaching age 50 if all of the following conditions are met:

- (1) The offender has not been convicted of a crime of violence as defined in present law; however, for purposes of proposed law, a conviction shall not be considered to be for a crime of violence if in fact physical violence was not perpetrated against the victim in the commission of the crime.
- (2) The offender has served at least 15 years of imprisonment in actual custody.
- (3) The offender has not committed any disciplinary offenses in 12 consecutive months prior to the parole eligibility date.
- (4) The offender has completed substance abuse treatment, as applicable.
- (5) The offender has completed anger management treatment, as applicable.
- (6) The offender has obtained a low-risk level designation determined by a validated risk assessment instrument approved by the secretary of the DPS&C.
- (7) The offender has completed the mandatory minimum of 100 hours of prerelease programming, if available.
- (8) The offender has obtained a GED credential, unless the offender has a high school diploma or is deemed by a certified educator as incapable of obtaining a GED due to a learning disability or because such programming is not available. If the offender is deemed incapable of obtaining a GED, the offender must successfully complete either a literacy program, an adult basic education program, or a job skills training program.

(Adds R.S. 15:574.4(A)(5))