

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.

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 pre-release 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))