

2016 Regular Session

HOUSE BILL NO. 691

BY REPRESENTATIVE JACKSON

PAROLE: Changes the number of votes required to grant parole

1 AN ACT

2 To amend and reenact R.S. 15:574.2(C), relative to the committee on parole; to provide that
3 parole can be granted upon a majority vote of the committee on parole; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:574.2(C) is hereby amended and reenacted to read as follows:

7 §574.2. Committee on parole, Board of Pardons; membership; qualifications;
8 vacancies; compensation; domicile; venue; meetings; quorum; panels;
9 powers and duties; transfer of property to committee; representation of
10 applicants before the committee; prohibitions

11 * * *

12 C.(1) The committee shall meet in a minimum of three-member panels at the
13 adult correctional institutions on regular scheduled dates, not less than every three
14 months. Such dates are to be determined by the chairman. ~~Except as provided for~~
15 ~~in Paragraph (2) of this Subsection, three~~ Two votes of a three-member panel shall
16 be required to grant parole, or, if the number exceeds a three-member panel, a
17 ~~unanimous~~ majority vote of those present shall be required to grant parole.

18 (2) ~~The committee may grant parole with two votes of a three-member panel,~~
19 ~~or, if the number exceeds a three-member panel, a majority vote of those present if~~
20 ~~all of the following conditions are met:~~

1 ~~(a) The offender has not been convicted of a crime of violence as defined in~~
2 ~~R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, or convicted of an offense~~
3 ~~which would constitute a crime of violence as defined in R.S. 14:2(B) or a sex~~
4 ~~offense as defined in R.S. 15:541, regardless of the date of conviction.~~

5 ~~(b) The offender has not committed any major disciplinary offenses in the~~
6 ~~twelve consecutive months prior to the parole eligibility date. A major disciplinary~~
7 ~~offense is an offense identified as a Schedule B offense by the Department of Public~~
8 ~~Safety and Corrections in the Disciplinary Rules and Procedures of Adult Offenders.~~

9 ~~(c) The offender has completed the mandatory minimum of one hundred~~
10 ~~hours of pre-release programming in accordance with R.S. 15:827.1 if such~~
11 ~~programming is available at the facility where the offender is incarcerated.~~

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

13 ~~(e) 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. If the~~
16 ~~offender is deemed incapable of obtaining a GED credential, the offender must~~
17 ~~complete at least one of the following: a literacy program, an adult basic education~~
18 ~~program, or a job skills training program.~~

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

22 ~~(3)(2)~~ (2) Notwithstanding any other provision of law in this Section, no person
23 convicted of a crime of violence against any peace officer as defined in R.S.
24 14:30(B), shall be granted parole except after a meeting, duly noticed and held on a
25 date to be determined by the chairman, at which at least five of the seven members
26 of the committee are present and all members present vote to grant parole.

27 * * *

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)]

HB 691 Original

2016 Regular Session

Jackson

Abstract: Provides that a majority vote of the committee on parole can grant parole.

Present law provides for the committee on parole and provides that parole can be granted upon a unanimous vote of the committee on parole.

Present law provides that a majority vote of the committee on parole can grant parole for certain offenses only and if the offender has demonstrated a potential for rehabilitation through various requirements.

Proposed law provides that parole for all offenders can be granted upon a majority vote of the committee and removes the restrictions that exist in present law.

(Amends R.S. 15:574.2(C))