



**LOUISIANA
BOARD OF PARDONS**

Number: 02-205-POL
Date: September 30, 2015
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BOARD POLICY

SUBJECT: APPLICATION FILING PROCEDURES

PURPOSE: To establish procedures for filing an application for clemency

AUTHORITY: LAC Title 22, Part 5, Chapter 1; La. R.S. 15:572

REFERENCES: ACA Standard 2-1011, Board Policy 08-801, "Ameliorative Penalty Consideration"

POLICY:

It is the policy of the Board of Pardons to consider only those applications for clemency which conform to the procedures outlined in this board policy. An Application for Clemency form shall be made available on the Board's website at doc.la.gov. Applications must be received in the Board of Pardons office by the fifteenth of the month to be placed on the docket for consideration the following month. No application shall be considered by the Board until it deems the application to be complete in accordance with this policy.

PROCEDURES:

A. All Applicants

1. Every application must be submitted on the form approved by the Board of Pardons and must contain the following information:
 - a. name of applicant;
 - b. prison number [Department of Corrections (DOC) number];
 - c. date of birth;
 - d. race/sex;
 - e. education (highest grade completed);
 - f. age at time of offense;
 - g. present age;
 - h. offender class;
 - i. place of incarceration (incarcerated applicant only);
 - j. parish of conviction/judicial district/court docket number;
 - k. offense(s) charged, convicted of or pled to;
 - l. parish where offense(s) committed;

- m. date of sentence;
- n. length of sentence;
- o. time served;
- p. prior parole and/or probation;
- q. when and how parole or probation completed;
- r. prior clemency hearing/recommendation/ approval;
- s. reason for requesting clemency;
- t. relief requested and narrative detailing the events surrounding the offense;
- u. institutional disciplinary reports (incarcerated applicants only); total disciplinary reports, number within the last 24 months; nature and date of last violation; and custody status.

- 2. The application shall be signed and dated by applicant and shall contain a prison or mailing address and home address.
- 3. An application must be completed in its entirety. If any required information does not apply, the response should be "NA."

B. In addition to the information submitted by application, the following required documents must be attached as they apply to each applicant.

- 1. **Incarcerated Applicants:** Any applicant presently confined in any institution must attach a current master prison record and time computation/jail credit worksheet and have the signature of a classification officer verifying the conduct of the applicant as set out in A.1.u above, and a copy of conduct summary report. Applicants sentenced to death must attach proof of direct appeal denial (see also Board Policy 02.207, "Capital Cases").
- 2. **Parolees:** Applicants presently under parole supervision or who have completed parole supervision must attach a copy of their master prison record or parole certificate (see also Board Policy 02.201, "Types of Clemency").
- 3. **Probationers:** Applicants presently under probation supervision or who have completed probationary period must attach a certified copy of sentencing minutes or copy of automatic first offender pardon.
- 4. **First Offender Pardons** [R.S. 15:572 (B)]: Applicants who have received an Automatic First Offender Pardon must attach a copy of the Automatic First Offender Pardon.

C. No additional information or documents may be submitted until applicant has been notified that he/she will be given a hearing. The Board of Pardons will not be responsible for items submitted prior to notification that a hearing will be granted.

- D. Reapplication Upon Denial** - Any applicant denied by the Board shall be notified, in writing, of the reason(s) for the denial and thereafter may file a new application as indicated below.
1. **Applicants Sentenced to Life Imprisonment** - Any applicant with a life sentence may reapply five years after the initial denial; five years after the subsequent denial; and every five years thereafter.
 2. **Other** - Applicants without a life sentence may file a new application two years from date of the letter of denial.
 3. **Fraudulent Documents or Information** - Any fraudulent documents or information submitted by applicant will result in an automatic denial by the Board and no new application will be accepted until four years have elapsed from the date of letter of denial. Any lifer denied because of fraudulent documents may reapply 10 years from the date of letter of initial denial; seven years if subsequent denial; and six years for denials thereafter.
 4. **Governor Granted Clemency** - The Office of the Governor will notify an applicant if any clemency is granted. Any otherwise eligible person who has been granted any form of executive clemency by the Governor may not reapply for further executive clemency for at least four (4) years from the date that such action became final.
 5. **Denial/No Action Taken by Governor after Favorable Recommendation** - The board shall notify an applicant after its receipt of notification from the Governor that the Board's favorable recommendation was denied or no action was taken. The applicant may submit a new application within one (1) year from the date of the letter or denial or notice of no action. If the applicant does not re-apply within the one year period, the application filing procedures in D.1. or D.2. shall apply.
 6. **Ameliorative Penalty Consideration** - If an offender is notified by the Board of Pardons that their request for ameliorative penalty consideration has been denied, the offender may re-apply to the Board twelve months from the date of the letter of denial.
- E. Notice of Action Taken on Application** - After review of the application for clemency by the Board, applicants shall be notified, in writing, of action taken by the Board. Action can include granting a hearing before the Board or denial of a hearing.
- F. Hearing Granted/Advertisement in Local Journal** - After notice to an applicant that a hearing has been granted, the applicant shall provide the Board office with proof of advertisement within 90 days from the date of notice to grant a hearing. Advertisement

must be published in the official journal of the parish where the offense occurred. This ad must state:

**"I (applicant's name), (DOC number), have applied for clemency for my conviction of (crime).
If you have any comments, contact the Board of Pardons (225) 342-5421."**

Along with proof of advertisement published in the local journal, the applicant may submit additional information (e.g., letters of recommendation and copies of certificates of achievement and employment/residence agreement).

SHERYL M. RANATZA, CHAIRMAN

**Signature on file*

Replaces and supersedes Board Policy 02.205 dated August 1, 2014