



**LOUISIANA
BOARD OF PARDONS & PAROLE**

Number: 05-514 POL
Date: August 1, 2014
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BOARD POLICY

SUBJECT: VOTING/VOTES REQUIRED

PURPOSE: To establish policy that outlines the number of votes required for actions of the Louisiana Committee on Parole.

AUTHORITY: LAC Title 22, Part IX, Chapter 5; La. R.S. 15:574.2

POLICY: It is the policy of Louisiana Board of Pardons, Committee on Parole, to consider cases in accordance with the Louisiana Administrative Code, Title 22, Part IX, Chapter 5. The votes required to take action are outlined in this policy.

PROCEDURES:

A. Unanimous Vote

1. A unanimous vote is required to grant parole or to recommend transitional work program (work release) regardless of the number of board members at the parole hearing, except as provided for in Subparagraph B. below.
2. Notwithstanding any other provision of law, no person convicted of a crime of violence against any peace officer as defined in R.S. 14.30(B), shall be granted parole except after a meeting, duly noticed and held on a date to be determined by the chairman, at which at least five of the seven members of the committee are present and all members present vote to grant parole.
3. A unanimous vote is required to consider any action when the offender is not present as described in Board Policy, 05.511, "Public Hearings/Videoconferencing", and 05.513, "Single Member Action."
4. All special conditions of release, including special conditions of diminution of sentence/parole supervision release, shall be approved by a unanimous vote of the panel.

B. Majority Vote

1. The committee may grant parole with two votes of a three-member panel, or, if the number exceeds a three-member panel, a majority vote of those present if all of the following conditions are met.
 - a. The offender has not been convicted of a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, or convicted of an offense which would constitute a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, regardless of the date of conviction.
 - b. The offender has not committed any Schedule B disciplinary offenses in the 12 consecutive months prior to the parole hearing.
 - (i) If the offender's period of incarceration is less than 12 months, the offender must not have committed any disciplinary offenses during his/her entire period of incarceration.
 - c. The offender has completed the mandatory minimum of 100 hours of pre-release programming in accordance with R.S. 15:827.1, if such programming is available at the facility where the offender is incarcerated.
 - d. The offender has completed substance abuse treatment as applicable, if such programming is available at the facility where the offender is incarcerated.
 - e. The offender has obtained a HSE credential, unless the offender has previously obtained a high school diploma or is deemed by a certified educator as being incapable of obtaining a HSE credential due to a learning disability. If the offender is deemed incapable of obtaining a HSE credential, the offender must complete at least one of the following:
 - (i) a literacy program;
 - (ii) an adult basic education program; or
 - (iii) a job skills training program.
 - f. The offender has obtained a low-risk level designation determined by a validated risk assessment instrument approved by the Secretary of the Department of Public Safety and Corrections.
2. A majority vote is required to revoke parole.

3. A majority vote is required to continue or recess a meeting or hearing.
4. A majority vote is required to grant an offender's request for a rehearing.
5. A majority vote is required for executive session.
6. A majority vote is required to recommend to the Board of Pardons as to whether an applicant is eligible for a reduction in sentence pursuant to R.S. 15:308 and Board Policy 08-801, "Ameliorative Penalty Consideration."

C. Rescission

Once the panel votes to grant or deny parole at a particular hearing, the vote may not be rescinded at that hearing.

D. Special Conditions

If a member of a panel moves that a particular condition of parole be considered and determined prior to the vote to grant or deny parole, that issue shall be determined prior to the vote on parole. Otherwise, following a vote granting parole, the panel shall consider whether to impose special conditions of release.

E. Ex-Officio Members

The ex-officio member of the board is a non-voting member.



SHERYL M. RANATZA, CHAIRMAN