



**LOUISIANA
COMMITTEE ON PAROLE**

Number: 05-500-DIR
Date: October 20, 2014
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BOARD POLICY

SUBJECT: PAROLE HEARING PROCESS

REFERENCE: ACA Standards 2-1078, 2-1080 through 2-1085, 2-1086.1, 2-1091, 2-1092, 2-1092.1, 2-1094, 2-1097, 2-1098

AUTHORITY: LAC Title 22, Part V, La. R.S. 15:572, and Part XI, La. R.S. 15:574.2

POLICY:

Offenders shall be automatically scheduled for a parole hearing within six months of the offender's parole eligibility date. Parole hearings shall be conducted in an atmosphere conducive to a safe, secure, professional and dignified manner, with careful attention to the offender, and with ample opportunity for the expression of his or her views. Hearings must be conducted without extraneous interruptions, and with very careful focus on the offender. The offender shall be notified in writing of the parole panel's recommendation or decision.

PROCEDURES:

- A. Members of the Committee on Parole shall afford each offender case appropriate due diligence. Case records shall be reviewed prior to the offender's presence in the hearing room. Case files shall be reviewed during the hearing only to refresh the member's memory of the case and to determine questions of fact.
- B. A Committee member shall recuse himself from any hearing that presents a conflict of interest.
 1. Having been involved in normal supervision or been responsible for the normal care and custody during some phase of the offender's incarceration or probation/parole supervision shall not warrant recusal. However, a Committee member's direct involvement in any litigation or direct involvement in a major disciplinary action in connection with the Committee member's past responsibilities for the care, custody, or supervision of an offender may warrant recusal.
 2. If brought to the attention of a Committee member by an offender at or before a parole hearing that a possible conflict exists involving the Committee member's past

involvement in the care, custody, or supervision of the offender, the Committee member shall ask, on the record, if the offender has any objection to the Committee member serving on the parole panel. If there is an objection, the Committee member shall be recused and the parole hearing continued until the next available docket.

- C. The offender's representative shall be given the opportunity to present information to the Committee.
- D. The offender's victim shall be given the opportunity to present information, orally or in writing, to the Committee. Any written information shall be added to the offender's case record. If requested, the victim shall be notified of the parole decision in writing.
- E. Committee members must be cognizant of the impact their decisions have on offender populations. As such, due consideration shall be given to decisions regarding deferrals. A decision to defer a case shall be made only in rare and unusual circumstances, the reason for which shall be noted in the offender's case record.
- F. The presence of a detainer shall not automatically bar an offender from parole consideration. The Committee's staff shall pursue the basis of any such detainer. When appropriate, the Committee shall grant parole release to the detainer.
- G. For those cases which, in the opinion of Committee members, an examination and opinion is required of psychiatrists or psychologists, the Committee may request that qualified DPS&C staff provide the needed examinations and written opinions.
- G. Each face to face or video hearing shall be electronically recorded.
- H. Each Committee member shall provide written reason for their parole decision. This written documentation establishes the official rationale for the decision and is important for the continued development of criteria for the decision-making process.
- I. Records of the activities of the parole process shall be preserved and maintained in accordance with Board Policy 01-122, "Records Management", by staff of the Board of Pardons and Parole.

SHERYL M. RANATZA, CHAIRMAN

**Signature on file*