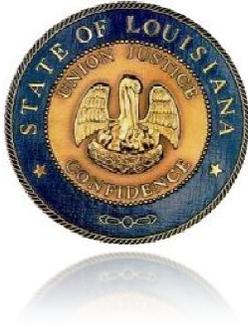


Louisiana Board of Pardons and Parole



Parole Hearing Handbook

Information for Victims and their Families

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What is a parole hearing?

A parole hearing is a hearing to determine whether an offender should be released on parole. Offenders who are, by law, eligible for parole are automatically scheduled for a parole hearing six to nine months in advance of their "parole eligibility date". An offender's parole eligibility date is generally the earliest possible date they can be released, based on their sentence. Just because an offender has been scheduled for a parole hearing does not mean he or she will be released on parole. The Committee on Parole will determine whether offenders are suitable for parole. Offenders sentenced to life and who become parole eligible by virtue of law are not guaranteed parole and can be held in prison for the remainder of their natural life.

Many offenders have several parole hearings before they are found suitable for parole release. If denied, they are allowed to write to the Committee on Parole to request that they be scheduled another hearing. They can be denied parole for up to two years at a time.

Who can contact Parole Committee members to discuss a case?

Louisiana law prohibits any person from contacting or communicating with any member of the Board of Pardons or Committee on Parole urging parole, or otherwise regarding any offender, except in an open meeting or by written letter addressed to the Board of Pardons and Parole. Any written communication to the Committee regarding an offender is deemed a public record and is subject to public inspection. However, letters written by or on behalf of any victim of a crime committed by an offender, or any letter written in opposition to the offender placed on parole is not deemed a public record.

While contact with individual Board and Committee members about a specific case is prohibited, staff is permitted to assist the general public with questions of a general nature. Contact the Board Office at 225.342.6622.

What factors are considered during a parole hearing?

Parole hearings are not to decide guilt or innocence of the crime for which they were convicted. The Committee on Parole accepts as fact the guilty verdict imposed by the courts. The purpose of a parole hearing is to determine if or when an offender can be returned to society. Decisions of the parole panel always consider the safety of the public.

In general, some of the factors considered by the panel and which are discussed in the hearing include:

- Behavior in prison (i.e., disciplinary reports or laudatory accomplishments)
- Vocational and educational accomplishments in prison
- Involvement in self-help therapy programs that can range from anti-addiction programs for drugs and alcohol to anger management

- Parole plans, including where an offender would live and how they would support themselves if they were released
- Police, judicial, and community attitude toward the offender
- Impact on victim(s)

What happens in a parole hearing?

The purpose of a parole hearing is to determine if or when an offender can be returned to society. The panel of three members will determine if the gravity of the crime (offense), or the timing and gravity of current or past convictions, requires a lengthier period of incarceration to ensure public safety.

In general, a parole hearing will consist of:

- Review with the offender of the parole hearing process
- Review of the crime and sentencing dates
- Review of pre-crime life factors
- Review of the offender's incarceration record
- Review of parole plans, including residence, employment, and continued rehabilitation
- Closing/impact statements
- Deliberation, collaboration/Decision

What happens if the offender is granted parole?

If parole is granted, the panel will explain the decision. There is no appeal process for a parole decision. Offenders are not released immediately. If the offender has not met his/her parole eligibility date, they must remain incarcerated until then; if the offender's parole eligibility date was prior to the parole hearing, he/she must be processed for release which may take up to 72 hours.

What happens if the offender is denied parole?

If parole is denied, it will be denied for a specific period of time. An offender may re-apply for another parole hearing within one or two years after the decision to deny, depending on the offender's offense.

Where are parole hearings held?

The parole panel is situated in Baton Rouge at its hearing room located at the Department of Public Safety & Corrections Headquarters Complex, 504 Mayflower Street. Victims participate in the parole process at this location. (Victims may also choose to participate in the process by telephone from their local District Attorney's office.)

The offender appears before the panel via videoconferencing, but the offender is physically located inside a correctional institution (also known as a prison) and is not present in the

Parole Hearing Room. While at the Headquarters complex, you are likely to see offenders walking around, as offenders provide maintenance services at Headquarters. This is normal. You will not be alone and should not be alarmed. Do not hesitate to ask questions before, during and after the parole hearing.

Who can attend a parole hearing?

The victim of the crime, or if the victim has died, family members may attend and speak at the hearing in the following order of priority:

- Spouse (including domestic partners)
- Children (over the age of 12)
- Parents
- Siblings
- Grandchildren
- Grandparents

Please be aware that the hearing room is relatively small and, therefore, the number of individuals allowed to attend the hearing may be limited due to space and security considerations. Up to two victims or family members may address the panel. If the victim group is large, victims and their families should designate a representative to speak on their behalf. In all cases, victims should notify the Parole Committee if they intend to appear at the parole hearing.

What do I need to bring with me to the parole hearing?

You need to bring valid government-issued picture identification with you. Examples of acceptable government-issued picture identification include the following:

- State driver's license with picture
- LA Office of Motor Vehicles identification card with picture
- Armed Forces identification card with picture
- Identification card issued by the United States Department of Justice Immigration and Naturalization Services with picture
- Current Passport with picture

What can I bring with me to the parole hearing?

- A handkerchief (no bandannas)
- Tissue
- Car keys
- Writing materials and documents
- A book

- Critical medications
- Critical medical equipment and supplies
- Copy of your Notification of the parole hearing
- Small handbag or purse (subject to search by Security)

The following items are strictly prohibited:

- Cell phones, pagers, recording devices, cameras

Please let Board staff know if you have medical and/or disability-related assistive devices such as a wheelchair, pacemaker, service animal, oxygen, prosthetic device, etc. Contact information for the Board office is located on the back of this handbook.

What do I wear to the parole hearing?

It is recommended you dress conservatively (no sheer or transparent clothes, strapless or "spaghetti" strap tops, shorts, short skirts or dresses, clothes that expose the midriff area or items displaying obscene or offensive language or drawings).

Most victims and their families will need to pass through a metal detector so it is recommended that you avoid wearing hairclips, hairpins, excessive jewelry, belt buckles, steel-toed shoes, suspenders, and underwire bras.

You may be denied access to the hearing room if you wear inappropriate attire.

What happens once I arrive at the hearing location in Baton Rouge?

You should report to the Security Office located just inside the main entrance gate. A correctional officer will greet you. You will be asked to present identification (see "What do I need to bring with me to the parole hearing?" on page 5 for a list of acceptable forms of identification).

The correctional officer will escort you through a security screening process similar to the screening used in airports. You will be asked to go through a metal detector. If the alarm sounds, a hand-wand metal detector may be used and you may be subjected to a cursory search over your clothes (also known as a "pat-down"). Please let security staff know if you are unable to pass through a metal detector for medical, religious, or cultural reasons and staff will instead conduct a cursory search over your clothes.

Persons with disabilities or medical conditions are encouraged to bring documentation of their condition to help facilitate the security screening process.

Once inside the facility, the correctional officer will take you to the hearing waiting area. The correctional officer will remain with you and will be able to answer your questions at any time.

If, for some reason, you are denied entry, show security your copy of the notice of parole hearing that was mailed to you. Ask security staff if they were notified by Board staff of your request to attend the hearing. In the unlikely event that security staff was not notified, security staff will contact the Board office to resolve the issue.

If your denial of entry into DPS&C complex cannot be resolved, please ask security staff to contact the Board office. Note: If you were convicted of a crime or served time in a state prison and did not disclose this information when you requested to attend the parole hearing, you may be denied entry.

Who else will be at the parole hearing?

Parole hearings are subject to Louisiana's open meetings law. As such, the general public may attend, subject only to space and security considerations. Generally, the following will be at the parole hearing:

- **Committee on Parole panel members:** Each panel has three members, all of whom are appointed by the Governor.
- **Staff of the Board of Pardons and Parole:** Staff are there to record and facilitate the parole hearing and are able to answer any questions you may have.
- **Offender:** The offender will not be physically present in the hearing room, but the offender's image will appear on a television screen. The offender will be physically located at a correctional facility.
- **Offender's Attorney:** If the offender has retained an attorney, the attorney will be located at the same location as the offender and will also appear on the television screen.
- **Other Victims and their Families**
- **News/Media:** Members of the press may attend a hearing in accordance with the open meetings law. However, no recording or audio equipment is allowed in the hearing room unless approved by the Board. You will be informed if press will be present.
- **Prosecutor:** A representative from the District Attorney's office that prosecuted the offender may attend the hearing, but it is not required.
- **Observers:** In rare occasions, persons not connected to the case are permitted to observe a parole hearing for educational purposes.

What should I say in the parole hearing?

The victims, members of their family, or designated representatives, have the right to prepare a victim impact statement. This is your opportunity to make a public statement about the crime and how it has affected you and others such as your family, friends, and community. The following information is provided only as a guide when preparing a victim impact statement.

A victim impact statement should be a written or oral description of the physical, financial, emotional, and even spiritual effects a crime has on an individual, victim, or family of a victim. In some cases, it may also describe how a neighborhood or community has been affected.

Victims and their families should express how the crime has personally affected them from an emotional or psychological standpoint. To assist you with your thoughts and feelings it is recommended you write an impact statement on paper. Describe how life has changed for you and your family. Describe certain details of the crime and the offender's actions that you want the panel to know. State your concerns about the offender being granted parole.

Victims and their families have the option of speaking first, or last, at parole hearings. They also have the option of speaking to the parole panel without the offender present. However, all victim statements will be audio recorded. If victims choose to speak to the parole panel while the offender is present (on the television screen), the offender and his/her attorney are not permitted to ask you questions during the hearing.

When will I know the results of the parole hearing?

After everyone has spoken, the parole panel may stop the hearing and go into an executive session to collaborate on the case. In this instance, the panel members will leave the room. The panel will come back into the hearing room after their collaboration. Each panel member will state their vote on whether to grant or deny parole, along with their reason(s) for their vote.

Because in some instances a unanimous vote is required and in others a majority vote is sufficient, the parole panel chairperson will announce the panel's decision.

If granted parole, the offender will be supervised by the Division of Probation and Parole. The Division of Probation and Parole is committed to a program of offender management that will contribute to restoring the victim and community by holding the offender accountable for his/her actions and providing opportunities for restitution. Visit the DOC website for location and contact information of Probation & Parole offices, <http://www.doc.la.gov/pages/probation-parole/district-offices/>.

What are my options if I do not go the parole hearing?:

If you are unable, or do not want to travel to a parole hearing, you may submit a written statement, an audio or video statement, or participate by telephone from your local District Attorney's office, or have someone speak on your behalf.

Submitting Written Statements:

- Mail your statement to the Board of Pardons and Parole
- Mark the letter "CONFIDENTIAL" if you do not want your letter shared with the offender and his/her attorney.

- To ensure the letter is processed correctly and timely, put the offender's name, his/her DOC number, and the hearing date on the letter.
- Submit your written statement two weeks before the hearing to ensure it is considered.

Audio or Video Statements: You may also send an audio/video (DVD) of your statement to be played at the hearing. The audio/video tape needs to be submitted with a letter requesting that it be played at the hearing. The audio/video tape needs to be received at the Board office two weeks before the hearing. A typed transcript of the words should also be sent.

Appearing by Telephone from the District Attorney's Office: Please contact your local District Attorney's Victims Services Coordinator for more information.

Sending a Representative: You may also have an attorney or designate someone in writing as a representative to appear and speak on your behalf. The District Attorney's office that prosecuted the case can also speak for you. Call the District Attorney's office for assistance.

Can I receive a transcript of the hearing?

Hearings are not transcribed; however, an audio recording (CD) will be available approximately 30 days after an offender's parole hearing, upon request. Contact the Board office for more information.

How can I make sure I receive notice of future hearings:?

If the offender is denied parole, it is likely there will be at least one future parole hearing. If you are the direct victim of the crime (or an immediate family member), it is important that you register with the Crime Victims Services Bureau in order to receive such notification. Please call or write the Crime Victims Services Bureau. Please include your name, address, phone number, and your relationship to the victim. Give the offender's name and DOC number. If you do not know the DOC number, give any other information you may have, such as a birth date or the date the offender was convicted. The appropriate forms will be made available to you, which need to be completed and returned in order to ensure you, as the direct victim, receive notification of parole hearings.

Those who are not direct victims of the crime, may visit <http://www.doc.la.gov/quicklinks/board-of-pardons-and-parole/> to view more information regarding parole hearings.

All those who are registered with the Crime Victim Services Bureau, even if not the direct victim of the crime, are notified in advance of an offender's release, if granted parole.

Louisiana State Correctional Institutions



Visit the DOC website for facility contact information: doc.la.gov

Frequently Used Terms

The terms listed below are often used during the parole hearing process. Please do not hesitate to ask the Crime Victims Services Bureau, the correctional officer that accompanies you during the hearing, or Board staff, if you have any questions.

Board: Another term used for a parole panel.

Cancellation: The cancellation of a parole consideration hearing may occur. A hearing may be cancelled for several reasons, such as, panel unavailable or illness of panel member, offender, or offender's attorney. Cancellation may also occur in the event of hurricane or other natural disaster.

Continuance: A particular case scheduled for a parole hearing may be continued, at the request of an offender or an offender's attorney, in order for the offender and/or attorney to prepare for the hearing. A hearing may also be continued if the pre-parole investigation report is not complete by the hearing date. Hearings that are continued will be re-scheduled at the next available date.

Committee on Parole: The Committee on Parole is comprised of seven members appointed by the Governor.

Crime Victims Services Bureau (CVSB): A Division within the DOC to offer crime victims easy access to information and registration. See the CVSB webpage for more information <http://www.doc.la.gov/pages/victim-services/>.

DB Report: This term is in reference to a report written by DOC officers in response to a disciplinary rule infraction by an offender. All offenders are placed on notice as to the requirements of the *Disciplinary Rules and Procedures for Adult Offenders*, established by the DOC.

Direct Victim: A person against whom a felony has been committed; or the spouse or next of kin of a deceased victim.

Executive Session: A session during or at the end of a parole hearing when the parole panel members discuss certain elements of a case. The panel members leave the hearing room during an executive session and return to the hearing room when their collaboration is completed.

Good Time (Diminution of Sentence): A term of early release from physical custody of the DOC to parole supervision. An offender may not be considered for parole if the offender's good time release date is within 90 days of the offender's parole eligibility date, or if the offender's good time release date is prior to the parole eligibility date.

Initial Parole Hearing: A hearing to consider the offender's suitability for parole. The hearing is generally scheduled 6–9 months before the offender's Parole Eligibility Date (PED).

LARNA II: Louisiana Risk/Needs Assessment; a tool used by the DOC and the Board to assess an offender's risk and identify programmatic needs.

Louisiana Department of Public Safety & Corrections: The Louisiana Department of Public Safety & Corrections, Corrections Services (also referred to as "DOC") is responsible for adult offenders sentenced to state prison. The DOC is also responsible for supervising these offenders if they are released on parole. The Secretary of the Department is appointed by the Governor and serves as a member of the Governor's Cabinet.

Panel Chairperson: The Committee on Parole panel member who serves as Chairperson of the parole panel on a given day. The Panel Chairperson announces the decision of the panel after all panel members have voted.

Parole Eligibility Date (PED): The earliest date an offender may be legally released on parole. The Board schedules an offender's initial parole hearing 6–9 months prior to his/her PED.

Re-Hearing: A subsequent parole hearing for those offender's who were previously found unsuitable for parole and is conducted for the same purpose and in the same manner as an Initial Hearing.

Static99: An actuarial risk assessment instrument for use with adult male sexual offenders. The Static99 instrument is prepared on all male sex offenders who appear for a parole hearing and is made available to the parole panel.

Victim Impact Statement: A statement that describes the emotional, physical, and/or spiritual impact the crime had on the victim, the victim's family, and/or the community.

Victim's Notice of Hearing: A letter that tells you the date, time, and place of the parole hearing. This letter is sent to you at least 30 days before the hearing.

Victim's Service Coordinator: The Victim's Service Coordinator works at the Crime Victims Services Bureau, a division of the Department of Public Safety & Corrections. You can reach this person toll free at 888–342–6110.

Resources for victims and their families

Board of Pardons and Parole

P. O. Box 94304, Capital Station, Baton Rouge, LA 70804
225-342-6622 or 342-5421

Louisiana District Attorney Victim Assistance Coordinators –*visit: <http://www.ldaa.org>* for a contact information for Victim Assistance Coordinators in each judicial district and more information regarding victim rights and victims services.

For additional information and assistance on material covered in this brochure:

Call Toll Free 1-877-342-6110

Mailing Address:

Louisiana Department of Public Safety & Corrections
Crime Victims Services Bureau
P. O. Box 94304
Baton Rouge, LA 708804

