



**LOUISIANA
BOARD OF PARDONS AND PAROLE**

**Number: 03-305-DIR
Date: October 26, 2020
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BOARD DIRECTIVE

SUBJECT: **REQUEST FOR CONTINUANCE, REQUEST TO
WITHDRAW FROM PAROLE CONSIDERATION,
REFUSAL OF PAROLE RELEASE**

PURPOSE: To establish guidelines for processing a request from an offender or an offender's representative to continue (postpone) a scheduled parole hearing; a request to withdraw from consideration for parole, or an offender's refusal of parole release.

AUTHORITY: LAC Title 22, Part V and Part XI

DIRECTIVE: After an offender has been scheduled and docketed for a parole Hearing, the hearing shall only be re-scheduled for good cause and only in the rarest of circumstances. The procedures described in this directive shall be applied for all such requests for continuance or withdrawal from parole consideration, and in situations when an offender refuses parole release.

PROCEDURE

1) Request for Continuance of Scheduled Parole Hearing

- a. An offender or an offender's representative may request, in writing, to continue or postpone their scheduled parole hearing for good cause. The written request must be received in the Board office no later than twenty-one (21) days prior to the scheduled hearing date and must contain the specific reason(s) for the request.
- b. The request for continuance will be placed on the administrative review docket at the next available parole panel hearing.
- c. The parole panel will review the request and will vote to grant or deny the request for continuance.
- d. The offender and/or offender's representative will be informed in writing of the parole panel's decision, within seven (7) days of the date of the decision.
 - i. If the request is granted, the hearing shall be re-scheduled within 120 days of the original scheduled hearing date.

- ii. If the request is denied, the hearing shall be conducted on the original scheduled hearing date. Failure of the offender to appear at this hearing may result in disciplinary action.

2) Request to Withdraw from Parole Consideration

- a. An offender may request, in writing, to withdraw from parole consideration no later than forty-five (45) days in advance of the scheduled parole hearing. The written request must state the reasons for the request.
 - i. The offender shall not be allowed to withdraw from parole consideration during a parole panel hearing.
- b. The offender's request to withdraw from parole consideration shall be placed on the administrative review docket at the next available parole panel hearing.
- c. The parole panel will review the request and will vote to grant or deny the request for continuance.
- d. The offender shall be informed in writing of the parole panel's decision within seven (7) days of the decision.
 - i. If the request to withdraw from parole consideration is granted, the offender shall be eligible to re-apply for parole consideration at the intervals specified in Board Policy, 07-705-POL, "Application for Rehearing/Request for Reconsideration of Decision".
 - ii. If the request is denied, the hearing shall be conducted on the original scheduled hearing date. Failure of the offender to appear at this hearing may constitute a violation of Disciplinary Rules and Procedures for Adult Offenders.

3) Refusal of Parole Release

- a. If an offender refuses parole release after a parole hearing has been conducted during which parole was granted, that offender shall be required to indicate on the parole certificate "refused" and sign the certificate.
- b. The parole certificate indicating "refused" shall be placed in the offender's parole record.

SHERYL M. RANATZA, CHAIR

**Signature on file*

This Directive replaces and supersedes Board Directive 03-305-DIR, "Request for Continuance, Request to withdraw from Parole Consideration, Refusal of Parole Release" dated July 20, 2020 (Technical revisions only)