



**LOUISIANA BOARD OF PARDONS
AND COMMITTEE ON PAROLE**

**Number: 05-505-POL
Date: September 20, 2024
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BOARD POLICY

SUBJECT: GENERAL PROCEDURES

PURPOSE: To outline general procedures for conducting the business of the Louisiana Board of Pardons and its Committee on Parole (Board)

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

REFERENCE: ACA Standard 2-1081 and 2-1093, Board Policy 05-514-POL, "Voting/Votes Required," 05-511-POL, "Panel Action," 05-513-POL, "Single Member Action," 07-711-POL, "Conditional Parole," 05-503-POL, "Parole Panels," and 05-509-POL, "Victim Notification and Participation in Hearings"

POLICY:

The Board shall conduct its business meetings and public hearings in accordance with the provisions of R.S. 42:1 et seq. (Public Policy for Open Meetings Law) and *Robert's Rule of Order*.

PROCEDURES:

A. Minutes

Detailed meeting minutes shall be recorded and maintained by the Board staff member so designated by the Chairman. The Board's minutes of public hearings shall include the following information as applicable:

- Time of commencement
- Persons present/including visitors and witnesses
- Adoption of previous minutes
- Motions
- Name and Department of Corrections (DOC) number of each inmate being considered;
- Name of counsel representing the inmate (an inmate docketed for a public hearing may be represented by counsel);
- The vote of each member;
- The decision of the Board; and
- Time of adjournment.

B. Voting (See Board Policy 05-514-POL, "Voting/Votes Required")

1. The vote of each panel member shall be recorded by name and date on the vote sheet.
2. Only members who are present shall vote; voting by proxy is prohibited.

3. No vote shall be taken while the panel is in executive session.
4. The panel shall not rescind the original vote without conducting a new hearing, except as outlined in section J of this policy and provided in Board Policies 05-511-POL, "Panel Action"; 05-513-POL, "Single Member Action," or 07-711-POL, "Conditional Parole."
5. The electronic vote sheet shall remain in the inmate's DOC file maintained by the Board, and a copy shall be attached to the minutes and preserved in electronic format in accordance with the Board's record retention policy.

C. Accuracy of Vote (See Board Policy 05-514-POL, "Voting/Votes Required")

The Chairperson of the panel shall appoint a staff member other than the Chair, to review case records subsequent to voting to ensure the accuracy of all documents.

D. Continuance or Recess

A majority vote is required to continue or recess a meeting or hearing. Generally, the matter will be rescheduled for the next month but may be rescheduled for an earlier date if deemed appropriate by the panel (see Board Policy, 05-514, "Voting/Votes Required").

E. Executive Session

The Board or a parole panel may go into executive session to discuss each inmate's case prior to a decision pursuant to the provisions of R.S. 42:6, 42:6.1, and 15:574.12. No vote shall be taken while the panel is in executive session.

F. Observance of Proceedings

The Board may extend invitations to individuals to observe its proceedings.

G. Testimony

The Board may direct questions to and/or request statements from anyone appearing before the Board.

H. Children Under The Age of 12

It is generally inappropriate for children under the age of 12 years, except when the child is a victim and chooses to appear to be present during any public meeting or hearing of the Board.

I. Space and Security

The number of people supporting or opposing the granting of pardon or parole, including victims and/or family members of victims, will be limited only by space and security considerations.

J. Public Meeting/Hearing Schedule

The Chairman shall be responsible for schedules of business meetings and public hearings. The schedule shall be available for public inspection at the Board's office. Such schedules may be changed only upon prior notice, provided that such changes are made in a timely

manner in order to notify all concerned. However, such meetings may be rescheduled without notice due to inclement weather or any other emergency or unforeseen situation.

K. Duty Officer

The Chairman of the Board or his or her designee shall develop a duty calendar and shall designate one board member as the daily duty officer. The duty officer shall be available to act on behalf of the board concerning both routine office and administrative matters as authorized by these rules. If the duty officer must substitute for another member at a hearing or is absent for any other reason, he or she need not be replaced by another duty officer.

M. Modification of Board's Decision

1. The Board's decision to grant parole is subject to modification, alternation, or rescission for any reason deemed appropriate or necessary by the Committee on Parole at any time prior to the inmate's release from custody onto parole supervision. Examples of reasons that are appropriate for modification or rescission include, but are not limited to:
 - a. The inmate has received a disciplinary report prior to or subsequent to the hearing but prior to parole release.
 - b. Time calculation adjustments by the Department of Public Safety and Corrections that change the parole eligibility date, causing the offender to become ineligible for parole.
 - c. Refusing to comply with post and/or prior to release conditions set forth by the panel.
 - d. If it is determined prior to an inmate's parole release that proper notification requirements were not met, the Board may rescind its decision to grant parole.
2. If the Board rescinds its decision to grant parole, the inmate shall promptly receive another parole hearing.
3. In the event that the inmate has been granted parole, the board may rescind its decision and promptly schedule a hearing in accordance with Board Policy 05-509- POL, "Victim Notification and Participation in Hearings."
4. No inmate has any right to parole release based upon any initial decision of the Board before the inmate's actual release from custody onto parole supervision.

SHERYL M. RANATZA, CHAIRMAN

**Signature on file*

This policy replaces and supersedes Board Policy 05-505-POL, "General Procedures," dated August 7, 2023.