



**LOUISIANA BOARD
OF PARDONS & PAROLE**

Number: 05-505-POL
Date: March 20, 2021
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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.

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

REFERENCE: Board Policies 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", 05-509-POL, "Victim Notification and Participation In Hearings", ACA Standards 2-1081, 2-1093

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 Rules of Order*.

PROCEDURES:

A. Business Meetings

At meetings, detailed meeting minutes indicating time of commencement, persons present (including visitors and witnesses), adoption of previous minutes, motions and seconds, and time of adjournment shall be recorded and maintained by the Board staff member so designated by the Chairman.

B. Public Hearings

- 1) The Board's minutes of public hearings shall include the following information as applicable:
 - a. Name and Department of Corrections (DOC) number of the offender;
 - b. Name of counsel representing the offender (an offender docketed for a public hearing may be represented by counsel);
 - c. The vote of each Member; and
 - d. The decision of the Board.

C. Voting (See also Board Policy 05-514-POL, "Voting/VotesRequired")

- 1) The vote of each panel member shall be recorded by name and date on the vote sheet.
- 2) Only those Members present shall vote; voting by proxy is prohibited.
- 3) No vote shall be taken while the panel is in executivesession.

- 4) The panel shall not rescind the original vote without conducting a new hearing, except as outlined in section M 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 original vote sheet shall remain in the inmate's DOC file and a copy shall be attached to the minutes and maintained in a separate locked file in the Board office.

D. Accuracy of Vote (See also Board Policy 05-503-POL, "Parole Panels)

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

E. 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").

F. Executive Session

The Board or a parole panel may go into executive session to discuss each offender'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.

G. Observance of Proceedings

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

H. Testimony

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

I. 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.

J. Space and Security

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

K. Meeting/Hearing Schedule

- 1) 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 offices.
 - a. 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.

- b. Such meetings may be rescheduled without notice due to inclement weather, or any other emergency or unforeseen situation.

L. Duty Officer

- 1) 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.
 - a. 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.
 - b. 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. Rescinding Board Decision

- 1) Upon notification by the Secretary of the Department of Public Safety and Corrections that an offender has violated the terms of the decision granted by the board or has engaged in misconduct prior to the offender's release, the Board may rescind its decision to grant parole. In such cases, the offender shall promptly receive another parole hearing, except as provided in Section M.a.1.
 - a. The Board may choose to automatically rescind and change the decision for granting of parole under the below conditions:
 - 1. Offender has received a disciplinary report prior or subsequent to the hearing, but prior to parole release;
 - 2. Time calculation adjustments by the Department of Corrections that changes the parole eligibility date, causing the offender to become ineligible for parole or pushing his parole eligibility dates beyond the allowed time frame for parole release or rescheduling;
 - 3. Refusing to comply with post and/or prior to release conditions set forth by the panel.
 - b. If it is determined prior to an offender's parole release that proper notification requirements were not met, the Board may rescind its decision to grant parole.
 - 1. If the Board rescinds its decision to grant parole, the offender shall promptly receive another parole hearing.
 - 2. In the event that the offender has been granted parole, the board may rescind its decision and promptly schedule a hearing in accordance with Board Policy 05-509-POL, "Victim Notice and Participation in Hearings".

SHERYL M. RANATZA, CHAIRMAN

**Signature on file*

This policy replaces and supersedes Board Policy 05-505-POL, "General Procedures" dated January 20, 2020.