



**LOUISIANA
BOARD OF PARDONS & PAROLE**

Number: 05-514 POL
Date: August 20, 2021
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BOARD POLICY

SUBJECT: VOTING/VOTES REQUIRED

PURPOSE: To establish policy that outlines the number of votes required for actions of the Louisiana Committee on Parole.

AUTHORITY: LAC Title 22, Part XI, Chapter 5; La. R.S. 15:574.2, 15:574.4, 15:574.9

REFERENCES: Board Policy 05-511-POL, "Public Hearings/Video Conferencing", 05-513-POL, "Single Member Action", 08-801-POL, "Ameliorative Penalty Consideration"

POLICY:

It is the policy of Louisiana Board of Pardons, Committee on Parole, to consider cases in accordance with the Louisiana Administrative Code, Title 22, Part XI, Chapter 5. The votes required to take action are outlined in this policy.

PROCEDURES:

A. Unanimous Vote

- 1) A unanimous vote of those present is required to grant parole when the number of those present exceeds three.
- 2) A unanimous vote of a five-member parole panel is required for a person convicted of a crime of violence against any peace officer as defined in R.S. 14.30(B).
- 3) A unanimous vote of a five-member parole panel is required for a person serving a life sentence for second degree murder, committed after July 2, 1973, and prior to June 29, 1979.
- 4) A unanimous vote is required to consider any action when the offender is not present as described in Board Policy 05-511-POL, "Public Hearings/Video Conferencing", and 05-513-POL, "Single Member Action", except when the criteria set forth in Board Policy 05-511-POL Section C is met, voting requirements shall remain in effect as outlined in this policy.

B. Majority Vote

- 1) The committee may grant parole with two votes of a three-member panel, if all of the following conditions are met.
 - a. The offender has not been convicted of a sex offense as defined in R.S. 15:541, or convicted of an offense, which would constitute a sex offense as defined in R.S.15:541, regardless of the date of conviction.
 - b. The offender has not committed any Schedule B disciplinary offenses in the 12 consecutive months prior to the parole hearing.
 - i. If the offender's period of incarceration is less than 12 months, the offender must not have committed any disciplinary offenses during his/her entire period of incarceration.
 - c. The offender has completed the mandatory minimum of 100 hours of pre-release programming in accordance with R.S. 15:827.1, if such programming is available at the facility where the offender is incarcerated.
 - d. The offender has completed substance abuse treatment and or anger management as applicable, if such programming is available at the facility where the offender is incarcerated.
 - e. The offender has obtained an HSE credential, unless the offender has previously obtained a high school diploma or is deemed by a certified educator as being incapable of obtaining a HSE credential due to a learning disability. If the offender is deemed incapable of obtaining a HSE credential, the offender must complete at least one of the following:
 - i. A literacy program;
 - ii. An adult basic education program; or
 - iii. A job skills training program.
 - f. The offender has obtained a low-risk level designation determined by a validated risk assessment instrument approved by the Secretary of the Department of Public Safety and Corrections.
- 2) A majority vote is required to impose all special conditions of release.
- 3) A majority vote is required to revoke parole.

- 4) A majority vote is required to continue or recess a meeting or hearing.
- 5) A majority vote is required to grant an offender's request for a rehearing.
- 6) A majority vote is required for executive session.
- 7) A majority vote is required to recommend to the Board of Pardons as to whether an applicant is eligible for a reduction in sentence pursuant to R.S. 15:308 and Board Policy 08-801-POL, "Ameliorative Penalty Consideration."

C. Rescission

Once the panel votes to grant or deny parole at a particular hearing, the vote may not be rescinded at that hearing.

D. Special Conditions

If a member of a panel moves that a particular condition of parole be considered and determined prior to the vote to grant or deny parole, that issue shall be determined prior to the vote on parole. Otherwise, following a vote granting parole, the panel shall consider whether to impose special conditions of release.

E. Ex-Officio Members

The ex-officio member of the Board is a non-voting member.

SHERYL M. RANATZA, CHAIRMAN

**Signature on file*

This policy replaces and supersedes Board Policy 05-514-POL, "Voting/Votes Required" dated March 20, 2021