

Regular Session, 2012

HOUSE BILL NO. 543

BY REPRESENTATIVES SMITH AND TERRY LANDRY

PAROLE: Provides for parole eligibility for certain offenders sentenced to life imprisonment if certain conditions are met

1 AN ACT

2 To amend and reenact R.S. 15:574.4(B), relative to parole; to amend provisions relative to
3 parole eligibility for certain offenders; to provide for parole eligibility for offenders
4 sentenced to life imprisonment; to provide for exceptions; to provide for conditions
5 for eligibility; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:574.4(B) is hereby amended and reenacted to read as follows:

8 §574.4. Parole; eligibility

9 * * *

10 B.(1) No person shall be eligible for parole consideration who has been
11 convicted of armed robbery and denied parole eligibility under the provisions of R.S.
12 14:64. ~~No~~ Except as provided in Paragraph (2) of this Subsection, no prisoner
13 serving a life sentence shall be eligible for parole consideration until his life sentence
14 has been commuted to a fixed term of years. No prisoner sentenced as a serial sexual
15 offender shall be eligible for parole. No prisoner may be paroled while there is
16 pending against him any indictment or information for any crime suspected of having
17 been committed by him while a prisoner. Notwithstanding any other provisions of
18 law to the contrary, a person convicted of a crime of violence and not otherwise
19 ineligible for parole shall serve at least eighty-five percent of the sentence imposed,
20 before being eligible for parole. The victim or victim's family shall be notified

1 whenever the offender is to be released provided that the victim or victim's family
2 has completed a Louisiana victim notice and registration form as provided in R.S.
3 46:1841 et seq., or has otherwise provided contact information and has indicated to
4 the Department of Public Safety and Corrections, Crime Victims Services Bureau,
5 that they desire such notification.

6 (2) Notwithstanding any provision of law to the contrary, any person serving
7 a life sentence, with or without the benefit of parole, who has not been convicted of
8 a crime of violence as defined by R.S. 14:2(B), a sex offense as defined by R.S.
9 15:541, or an offense, regardless of the date of conviction, which would constitute
10 a crime of violence as defined by R.S. 14:2(B) or a sex offense as defined by R.S.
11 15:541, shall be eligible for parole consideration as follows:

12 (a) If the person was at least eighteen years of age and under the age of
13 twenty-five years at the time he was sentenced to life imprisonment, he shall be
14 eligible for parole consideration if all of the following conditions have been met:

15 (i) The person has served at least twenty-five years of the sentence imposed.

16 (ii) The person has obtained a low risk level designation determined by a
17 validated risk assessment instrument approved by the secretary of the Department
18 of Public Safety and Corrections.

19 (iii) The person has not committed any disciplinary offenses in the twelve
20 consecutive months prior to the parole eligibility date.

21 (iv) The person has completed the mandatory minimum of one hundred
22 hours of pre-release programming in accordance with the provisions of R.S.
23 15:827.1, if such programming is available.

24 (v) The person has completed substance abuse treatment if applicable and
25 such treatment is available.

26 (vi) The person has obtained a GED credential, unless the prisoner has
27 previously obtained a high school diploma or is deemed by a certified educator as
28 being incapable of obtaining a GED credential due to a learning disability or because
29 such programming is not available. If the prisoner is deemed incapable of obtaining

1 a GED credential, the person shall complete at least one of the following: a literacy
2 program, an adult basic education program, or a job skills training program.

3 (b) If the person was at least twenty-five years of age and under the age of
4 thirty-five years at the time he was sentenced to life imprisonment, he shall be
5 eligible for parole consideration if all of the following conditions have been met:

6 (i) The person has served at least twenty years of the sentence imposed.

7 (ii) The person has obtained a low risk level designation determined by a
8 validated risk assessment instrument approved by the secretary of the Department
9 of Public Safety and Corrections.

10 (iii) The person has not committed any disciplinary offenses in the twelve
11 consecutive months prior to the parole eligibility date.

12 (iv) The person has completed the mandatory minimum of one hundred
13 hours of pre-release programming in accordance with the provisions of R.S.
14 15:827.1, if such programming is available.

15 (v) The person has completed substance abuse treatment if applicable and
16 such treatment is available.

17 (vi) The person has obtained a GED credential, unless the prisoner has
18 previously obtained a high school diploma or is deemed by a certified educator as
19 being incapable of obtaining a GED credential due to a learning disability or because
20 such programming is not available. If the prisoner is deemed incapable of obtaining
21 a GED credential, the person shall complete at least one of the following: a literacy
22 program, an adult basic education program, or a job skills training program.

23 (c) If the person was at least thirty-five years of age and under the age of
24 fifty years at the time he was sentenced to life imprisonment, he shall be eligible for
25 parole consideration if all of the following conditions have been met:

26 (i) The person has served at least fifteen years of the sentence imposed.

27 (ii) The person has obtained a low risk level designation determined by a
28 validated risk assessment instrument approved by the secretary of the Department
29 of Public Safety and Corrections.

1 (iii) The person has not committed any disciplinary offenses in the twelve
2 consecutive months prior to the parole eligibility date.

3 (iv) The person has completed the mandatory minimum of one hundred
4 hours of pre-release programming in accordance with the provisions of R.S.
5 15:827.1, if such programming is available.

6 (v) The person has completed substance abuse treatment if applicable and
7 such treatment is available.

8 (vi) The person has obtained a GED credential, unless the prisoner has
9 previously obtained a high school diploma or is deemed by a certified educator as
10 being incapable of obtaining a GED credential due to a learning disability or because
11 such programming is not available. If the prisoner is deemed incapable of obtaining
12 a GED credential, the person shall complete at least one of the following: a literacy
13 program, an adult basic education program, or a job skills training program.

14 (d) If the person was at least fifty years of age at the time he was sentenced
15 to life imprisonment, he shall be eligible for parole consideration if all of the
16 following conditions have been met:

17 (i) The person has served at least ten years of the sentence imposed.

18 (ii) The person has obtained a low risk level designation determined by a
19 validated risk assessment instrument approved by the secretary of the Department
20 of Public Safety and Corrections.

21 (iii) The person has not committed any disciplinary offenses in the twelve
22 consecutive months prior to the parole eligibility date.

23 (iv) The person has completed the mandatory minimum of one hundred
24 hours of pre-release programming in accordance with the provisions of R.S.
25 15:827.1, if such programming is available.

26 (v) The person has completed substance abuse treatment if applicable and
27 such treatment is available.

28 (vi) The person has obtained a GED credential, unless the prisoner has
29 previously obtained a high school diploma or is deemed by a certified educator as

