

Regular Session, 2012

HOUSE BILL NO. 543

BY REPRESENTATIVES SMITH, ARMES, ARNOLD, BADON, BARROW, WESLEY BISHOP, BURRELL, COX, DIXON, EDWARDS, FRANKLIN, GAINES, GISCLAIR, HOFFMANN, HONORE, HOWARD, HUNTER, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, TERRY LANDRY, LEGER, MORENO, NORTON, ORTEGO, PIERRE, PRICE, REYNOLDS, RITCHIE, AND ALFRED WILLIAMS

AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

§574.4. Parole; eligibility

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 **(v) The person has completed substance abuse treatment, if applicable and**
14 **such treatment is available.**

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

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

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

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

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

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

4 (v) The person has completed substance abuse treatment, if applicable and
5 such treatment is available.

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

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

15 (i) The person has served at least ten 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

