

**Louisiana Board of Pardons
Meeting Minutes**

Date: Monday, October 26, 2020

Recorded by: Ray Eaglin

1. Call to Order

- a. The Chair called the meeting to order at 8:43 AM.

2. Roll Call

- Roll call was done with 5 Member(s) present. A quorum was declared.

- | | |
|--|---|
| <input checked="" type="checkbox"/> Chair – Sheryl Ranatza | <input checked="" type="checkbox"/> Vice-Chair – Jim Wise |
| <input checked="" type="checkbox"/> Tony Marabella | <input checked="" type="checkbox"/> Alvin Roche' |
| <input checked="" type="checkbox"/> Victor Jones | |

Staff members present:

Francis Abbott	Lea Wroten	----
John Poche	----	----
Ray Eaglin	----	----

- 3. Public Comment** was allowed on request before any action item.

4. Regular Business:

- a. The minutes from the October 19, 2020 meeting were reviewed.
Motion was made by Mr. Roche', seconded by Mr. Wise to accept the minutes with the correction. Without objection, the motion passed unanimously.
- b. Clemency hearings: The Board conducted 9 clemency hearings.

5. New Business:

- a. Review of the following policies:
- i. 01-117-POL-Training
 - ii. 02-203-Eligibility for Clemency Consideration
 - iii. 02-208-DIR-Clemency for Capital Cases
 - iv. 15-1501-POL Suspension of Supervised Parole
 - v. 05-515-DIR Public Meeting Decorum
 - vi. 05-509-POL Victim Notice and Participation
- b. Motion was made by Mr. Roche', seconded by Mr. Wise, to accept the policy changes. Without objection, the motion passed unanimously.

6. Adjournment:

- a. There being no further business, the meeting was adjourned on motion by Mrs. Ranatza at 3:25 PM.



John Poche, Administrative Program Director

Louisiana Board of Pardons
 Department of Corrections Headquarters
 Monday, October 26, 2020

1. Meeting call to order/roll call at: 8:43 AM
 By: Chair Sheryl M. Ranatza

Louisiana Board of Pardons: Board Members	Present	Absent
Chair - Sheryl M. Ranatza	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair - Jim Wise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alvin Roche' Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Victor Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Anthony Marabella	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Exec. Session Time Out	Motion By:	Seconded By:	Time Back in Reg. Session
10:11 AM	Mr. Marabella	Mr. Roche'	10:14 AM
2:08 PM	Mr. Roche'	Mr. Marabella	2:11 PM
Break	Motion By:	Seconded By:	Time Back
12:55 PM	Mr. Ranatza		1:24 PM

2. Regular Business:
- a.) Approval of Minutes from Monday, October 19, 2020 Hearing
 Approved by **Mr. Roche'** and seconded by **Mr. Wise**
 - b.) Pardon Docket:
9 cases heard

3. Adjourn:
 Motion Made by: **Mrs. Ranatza**
 Time adjourned: 3:25 PM

BOARD OF PARDONS

Meeting date: 10/26/2020

MOTION FOR EXECUTIVE SESSION:

I move that the Board go into Executive Session, the purpose of which is to discuss information contained in the record of each case on the morning/afternoon docket that is confidential and not subject to public disclosure.

Motion made by: Tony Marabella
Second: Alvin Roche

ROLL CALL VOTE:

- | YES | NO | |
|-------------------------------------|--------------------------|---------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | MR. JONES |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | MR. MARABELLA |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | MRS. RANATZA |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | MR. ROCHE' |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | MR. WISE |

The motion is:

- | APPROVED | REJECTED |
|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Time Out: 10:11 AM

Time Back: 10:14 AM



s/Recording Secretary

BOARD OF PARDONS

Meeting date: 10/26/2020

MOTION FOR EXECUTIVE SESSION:

I move that the Board go into Executive Session, the purpose of which is to discuss information contained in the record of each case on the morning/afternoon docket that is confidential and not subject to public disclosure.

Motion made by: Alvin Roche
Second: Tony Marabella

ROLL CALL VOTE:

- | YES | NO | |
|-------------------------------------|--------------------------|---------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | MR. JONES |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | MR. MARABELLA |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | MRS. RANATZA |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | MR. ROCHE' |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | MR. WISE |

The motion is:

APPROVED **REJECTED**

Time Out: 2:08 PM

Time Back: 2:11 PM

[Signature]
s/Recording Secretary



LOUISIANA BOARD OF PARDONS

HEARING DOCKET: October 26, 2020 – 8:30 AM

**Hearing Location: LA Department of Public Safety & Corrections, Headquarters Complex
504 Mayflower Street, Baton Rouge, LA 70802, 225.342.5421**

Assigned	Applicant's Name	DOC #	Request/Location	JDC/Location	Offense	Vote
1.	BAKER, ANDRE L.	380601	CTO RLC	19 th JDC EBR	Attempted Second Degree Murder – 3 counts	GRANT 5-0 IPE
2.	BARBER, GARY	374045	CTO RLC	42 ND JDC DESOTO	First Degree Murder	DENY 1-4
3.	CARTER, JOSEPH	62120	CTO DCI	16TH JDC ST. MARY	Aggravated Rape	CONTINUED
4.	DAIGLE, DEREK	451360	CTO ALC	14 TH JDC CALCASIEU	Second Degree Kidnapping, Attempted Manslaughter	DENY 0-5
5.	EVANS, JOHNNY Attorney: Elvin Fontenot, Jr.	398657	CTO OAS/SPB	30 TH JDC VERNON	Second Degree Murder	GRANT 5-0 CTO 99 YRS IPE AFTER 28
6.	HOOD, MICHAEL W. Attorney: Elvin Fontenot, Jr.	402384	CTO RDC	30 TH JDC VERNON	Manslaughter NOTE:(JIM WISE RECUSED FROM VOTING)	DENY 2-2
7.	LONDON, DERRICK W.	339777	CTO OAS/SPB	14 TH JDC CALCASIEU	Attempted Second Degree Murder	GRANT 4-1 CTO PE AFTER 14
8.	MOREAU, TEQUILLA	456393	CTO CONCORDIA P.P.	22 ND JDC ST. TAMMANY	Manslaughter	GRANT 5-0 IPE
9.	SINGLETARY, LELAND S.	560289	CTO RLC	30TH JDC VERNON	Armed Robbery Use of a Firearm	CONTINUED
10.	TRIPLETT, CEDRIC Attorney: Rhett Spano	130130	CTO DCI	19 TH JDC EBR	Armed Robbery; HFC Armed Robbery; Attempted Second Degree Murder	DENY 0-5

CTO=Commutation of Sentence - PWF=Pardon with Restoration of Firearms - PWOFF=Pardon without Restoration of Firearms - Released=Not incarcerated



**NOTICE AND AGENDA
LOUISIANA BOARD OF PARDONS
REGULAR MEETING
Monday, October 26, 2020
8:30 am**

The Louisiana Board of Pardons will meet on Monday, October 26, 2020, at 8:30 am through video conference using ZOOM. Please see the above agenda for meeting ID#.

Please silence your cell phones before entering the meeting.

1. Call to Order
2. Roll Call
3. Public Comment (allowed on request before any action item)
4. Regular Business
 - a. Review and Approval of Minutes, Monday, October 19, 2020 Regular Meeting
 - b. Review of the following policies:
 1. 01-117-POL-Training
 2. 02-203-Eligibility for Clemency Consideration
 3. 02-208-DIR-Clemency for Capital Cases
 4. 15-1501-POL Suspension of Supervised Parole
 5. 05-515-DIR Public Meeting Decorum
 6. 05-509-POL Victim Notice and Participation
5. New Business
6. Adjournment

The Board may convene an Executive Session at any time to discuss information that is confidential and not subject to public disclosure.

*If special accommodations are needed, please visit DOC.LA.GOV for Board contact information.
Contact person: John Poche at 225-342-5421*



**LOUISIANA
BOARD OF PARDONS & PAROLE**

Number: 01-117-POL
Date: ~~May 18, 2020~~
Page: 1 of 2

BOARD POLICY

SUBJECT: TRAINING

PURPOSE: The purpose of this policy is to describe training requirements for members of the Louisiana Board of Pardons and Committee on Parole (Board).

AUTHORITY: LAC Title 22, Part V and Part XI, La. R.S. 15.574.2

REFERENCES: ACA Standards 2-1057 and 2-1059, Board Policy 01-117-POL, "Board Member Training and Development"

POLICY:

A. Orientation Training

Within ninety (90) days of being appointed to the Board, each new Member and employee shall complete a comprehensive training course developed by the Chairman or designee in collaboration with the Department of Public Safety & Corrections (DPS&C).

- 1) The training course for new Members shall be developed using training components consistent with those offered by the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.
- 2) The training course for new employee orientation shall be provided by the DPS&C in accordance with the DPS&C Training Plan.

B. In-Service Training

- 1) Board Members

Each Member shall complete a minimum of forty (40) hours of training annually, which shall be provided for in the annual budget of the DPS&C. The annual training course shall be developed using the training components consistent with those offered by the National Institute of Corrections, the Association of Paroling Authorities International, or American Probation and Parole Association and shall include the following topics:

- a. Data driven decision making;
- b. Evidence based practices;
- c. Stakeholder collaboration;
- d. Recidivism reduction.

2) Staff Members

Each staff member shall complete annual in-service training provided by DPS&C, in accordance with the DPS&C Training Plan.

C. Rules and Procedures Manual

Each Board Member shall be issued a Rules and Procedures Manual electronically and shall sign a statement to acknowledge receipt of the manual. Such statement shall include the Board Member's agreement to completely and thoroughly familiarize himself or herself with the information contained therein and to conduct himself at all times in a manner which will strictly adhere to the letter of the law, as well as the spirit and intent. The manual shall contain, but not be limited to:

- 1) Louisiana Board of Pardons Rules, Policies, and Procedures;
- 2) Louisiana Code of Governmental Ethics;
- 3) R.S. 42:1 et seq. (Public Policy for Open Meetings);
- 4) All DPS&C regulations and/or statutes with particular reference to the operations of the Board.
- 5) The Board of Pardons and Committee on Parole Annual Report;
- 46) Material on relevant evidence based practices.

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SHERYL M. RANATZA, CHAIRMAN

**Signature on file*

This Policy replaces and supersedes Board Policy 01-117-POL, "Training" dated ~~September 30, 2014.~~



**LOUISIANA
BOARD OF PARDONS & PAROLE**

Number: 02-203-POL
Date: ~~December 20, 2018~~
Page: 1 of 3

BOARD POLICY

SUBJECT: ELIGIBILITY FOR CLEMENCY CONSIDERATION

PURPOSE: To describe the eligibility requirements for clemency consideration

AUTHORITY: LAC Title 22, Part 5, Chapter 1; La. R.S. 15:572

REFERENCE: ACA Standard 2-1011

DEFINITIONS:

Violent Offense: a conviction for any offense as defined in La.R.S.14:2(B).

Sex Offense: a conviction for any offense as defined in La.R.S.15:541.

POLICY:

It is the policy of the Louisiana Board of Pardons (Board) that it may consider individuals for a recommendation of clemency to the Governor based on the eligibility requirements set forth in this policy.

PROCEDURES:

A. Eligibility

- 1) **Pardon** - A person may not apply for a pardon if the applicant has any outstanding detainers, or any pecuniary penalties or liabilities which total more than \$1,000 and result from any criminal conviction or traffic infraction. In addition, no person is eligible to apply for pardon unless the applicant has paid all court costs which were imposed in connection with the conviction of the crime for which pardon is requested.
- 2) **Commutation of Sentence** - A person may not be considered for a commutation of sentence unless he or she has been granted a hearing by the Pardon Board and has had his or her case placed upon a Pardon Board agenda.

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- 3) **Remission of Fines and Forfeitures** - A person may not apply for a remission of fines and forfeitures unless he or she has completed all sentences imposed and all conditions of supervision have expired or been completed, including, but not limited to, parole, and /or probation.
- 4) **Specific Authority to Own, Possess, or Use Firearms** - A person may not apply for the specific authority to own, possess, or use firearms unless he or she has completed all sentences imposed for the applicant's most recent felony conviction and all conditions of supervision imposed for the applicant's most recent felony conviction have expired or been completed, including, but not limited to, parole, probation, and conditional release, for a period of five years. The applicant may not have any outstanding detainers, or any pecuniary penalties or liabilities which total more than \$1,000 and result from any criminal conviction or traffic infraction. In addition, the applicant may not have any outstanding victim restitution, including, but not limited to, restitution pursuant to a court or civil judgment or by order of the Committee on Parole.
- 5) **First Offender Pardon - Automatic** - On the day that an individual completes his sentence, the Division of Probation and Parole, after verifying that the individual is a first offender and has completed his sentence shall issue a certificate recognizing and proclaiming that the petitioner granted, the individual shall not be entitled to receive another automatic pardon.

B. Applications

All applications must be submitted in accordance with Board Policy 02-203, "Application Filing Procedures".

C. Incarcerated Applicants or Applicants Under Supervision of the Louisiana Department of Public Safety and Corrections

- 1) An executive pardon shall not be considered for an offender while in prison, except when exceptional circumstances exist.
- 2) An incarcerated offender who is serving a sentence for a non-violent or non-sex offense may request a commutation of sentence:
 - a. At any time; and
 - b. Must have been disciplinary report free for a period of at least 24 months prior to the date of the application or at the time of the hearing (if a hearing is granted); and
 - c. Must not be classified to a maximum custody status at the time of the application or at the time of the hearing (if a hearing is granted) and must remain disciplinary free throughout the rest of the Pardon process, including the time period while waiting on a decision from the Governor;~~and~~ and
 - d. Must possess a marketable job skill, either through previous employment history or through successful completion of vocational training while incarcerated.

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- 3) An incarcerated offender who is not serving a life sentence, but who is serving a sentence for a violent offense as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, may request a commutation of sentence.
 - a. After having served a minimum of 10 years;
 - b. Must have been disciplinary report free for a period of at least 24 months prior to the date of the application or at the time of the hearing (if a hearing is granted); and
 - c. Must not be classified to a maximum custody status at the time of the application or at the time of the hearing (if a hearing is granted); and must remain disciplinary free throughout the rest of the Pardon process, including the time period while waiting on a decision from the Governor; and
 - d. Must possess a marketable job skill, either through previous employment history or through successful completion of vocational training while incarcerated.

D. Life Sentences

Life Sentences. An offender sentenced to life may not apply until he has served 15 years from the date of sentence, unless he has sufficient evidence which would have caused him to have been found not guilty. The 15 years shall include periods of time prior to the imposition of the sentence in which the defendant was in actual custody for the offense for which he was sentenced to life imprisonment. The offender must also meet the criteria stated in Subparagraphs C.3.a-d of this Section.

E. Capital Cases

Any offender sentenced to death may submit an application within one year from the date of the direct appeal denial. See also board policy 02-207 "Capital Cases."

SHERYL M. RANATZA, CHAIRMAN

**Signature on file*

This policy replaces and supersedes Board Policy 02-203-POL, "Eligibility for Clemency Consideration", dated June 20, 2018.



**LOUISIANA
BOARD OF PARDONS**

Number: 02-208-DIR
Date: July 20, 2020
Page: 1 of 3

BOARD DIRECTIVE

SUBJECT: CLEMENCY FOR CAPITAL CASES

PURPOSE: To provide guidance for the voting members and staff of the Board of Pardons and Parole (Board) to process a clemency application for offenders who received a sentence of death.

AUTHORITY: LAC Title 22, Part 5, Chapter 1; La. R.S. 15:572

POLICY:
In accordance with the Louisiana Constitution, an offender who is convicted and sentenced to death may request clemency from the Governor. The Board of Pardons shall review all such requests in accordance with this directive. Any request for which a hearing is granted shall be handled in accordance with Board Policy 02-207-POL, "CapitalCases".

PROCEDURES:

The Board of Pardons staff shall request a "pen packet" from the Department of Public Safety & Corrections (DPS&C) staff, Classification and Records sometime after the offender is received on death row at Louisiana State Penitentiary or Louisiana Correctional Institute for Women. Once the pen packet is received, a clemency file is created and maintained by the Board.

I. Board of Pardons Clemency File

The Administrative Program Director is responsible for creating a file that contains all appropriate documents and will contact the Division of Probation & Parole to request an executive clemency case report.

II. Application, Interview and Hearing

The Administrative Program Director shall receive clemency applications or requests for capital cases. All capital case applications requesting clemency must be in writing and signed by the offender or his attorney, or in cases where the offender is unable to sign due to a mental or physical impairment, by a person acting on his behalf, in accordance with Board Policy, 02-205-POL, "Application Filing Procedures" and 02-207-POL, "Capital Cases".

- A. **Application:** An offender, or his attorney, is required to submit an application no later than the 21st calendar day before the scheduled execution date. The offender or his attorney may submit supplemental information no later than the 15th calendar day before the execution is scheduled. The offender may request a Reprieve (Stay of Execution) or Commutation of Sentence.
- B. **Interview** - If the clemency application includes a request for a Board interview, the Administrative Program Director shall contact the Chairman who shall designate at least one member of the Board to conduct the requested interview.
- 1) The assigned Board Member(s) shall conduct the interview and make arrangements for the interview date and time with the Chairman.
 - 2) The interview shall occur at the confining DPS&C Unit. Attendance shall be limited to the convicted person, designated Board Member(s), and unit staff.
 - 3) The Administrative Program Director shall also contact the institution for staff assignment of interview and accommodations for the Board Member(s).
- C. **Hearing** – If the clemency application includes a request for a hearing, the Board may grant the request and follow the procedures outlined in Board Policy, 02-207-POL, "Capital Cases".
- D. **Notice** - The Board's Assistant shall send a letter to the trial officials and victims notifying them that the offender has requested clemency and is soliciting their input.

III. Board Members Vote

Unless notified otherwise by the Chairman, Board Members shall vote not later than seven (7) days before the execution date at 1 p.m. If a Board Member is on leave and out of the country, the Member shall not be required to vote.

- A. The Board Members shall submit their votes by facsimile or hand delivery to the Administrative Program Director at the Board Office, 504 Mayflower, Baton Rouge, LA 70802. Upon receipt of all votes, the Administrative Program Director shall notify the Chairman who will cast final vote.
- B. The Chairman shall notify the Secretary of DPS&C and the Governor's office of the final vote.
- C. The Administrative Program Director shall notify Board Members, trial officials who submitted a response to the notice, and DPS&C Crime Victim Services Bureau of the final vote. If the vote is to grant a hearing before the Board, the Administrative Program Director shall notify all parties as required by law.

02-208-DIR

~~July 20, 2020~~

Page 3 of 3

~~IV. Clemency File Return~~

~~Each Board Member shall return their clemency file to the Board Office after the Administrative Program Director notifies them of the Board's final decision.~~

SHERYL M. RANATZA, CHAIRMAN

**Signature on File*

This Directive replaces and supersedes Board Directive 02-208-DIR, "Clemency for Capital Cases" dated ~~January 31, 2013~~. (Technical revisions only)



**LOUISIANA
BOARD OF PARDONS & PAROLE**

**Number: 05-509-POL
Date: July 20, 2020
Page: 1 of 3**

BOARD POLICY

SUBJECT: VICTIM NOTIFICATION AND PARTICIPATION IN HEARINGS

PURPOSE: To establish procedural guidelines for notification to a victim of an offender's scheduled pardon or parole hearing and to allow a victim, the legal guardian of the victim, or close relative of the deceased person to appear in person before a parole panel relative to parole consideration.

AUTHORITY: LAC Title 22, Part V, Chapter 2 and Part XI, Chapter 5; La. R.S. 15:572 et. seq and 15:574 et. seq, Acts 280 and 337 of the 2017 Regular Legislative Session

REFERENCE: ACA Standard 2-1074, 2-1074-1, 2-1082, 2-1093, and 2-1128-1; Board Policies 05-505-POL "General Procedures", 02-209-POL "Hearings Before the Board of Pardons", 03-301-POL "Parole Eligibility and Types of Parole", 07-701-POL "Parole Decisions", and 08-801-POL "Ameliorative Penalty Consideration"; Department of Public Safety & Corrections Regulation, PS-H-1, "Crime Victims Services Bureau"

POLICY:

Before the Board of Pardons or Committee on Parole considers clemency or parole release for an Offender who is serving a sentence for an offense in which a person was a victim, the direct victim of the offense shall be allowed to present written or oral statement of the victim's views about the offense, the offender, and the effect of the offense on the victim. The Board of Pardons shall allow victim testimony in accordance with Board Policy 02-209-POL, "Hearings Before the Board of Pardons".

Nothing in this policy is intended to limit the Board of Pardons or parole panel's discretion to allow additional victims to make personal appearance or to make contact by phone through the local district attorney's victim advocacy representative. There is no limit on written correspondence in favor of and/or opposition to an offender's consideration for clemency or parole.

DEFINITIONS:

- A. *Close Relative of a Deceased Victim:* a person who was the spouse of a deceased victim at the time of the victim's death, a parent of the deceased victim, an adult brother, sister or child of the deceased victim; or nearest relative by consanguinity if previous listed relatives are deceased or incapacitated due to physical or mental illness or infirmity.

- B. *Guardian of a Victim*: a person who is the legal guardian of a victim whether or not the legal relationship between the guardian and victim exists because of the age of the victim or the physical or mental incompetency of the victim.
- C. *Victim*: For purposes of this policy, a *victim* is defined as an individual against whom a crime has been perpetrated.

PROCEDURES:

A. Victim Notification

- 1) The direct victim, spouse, or next of kin of a deceased victim, and any person who has filed a victim notice and registration form shall be advised in writing no less than 60 days prior to the scheduled pardon or parole hearing date.
- 2) The parole hearing notice shall advise victim that:
 - a. The hearing is open to the public;
 - b. He or she may remain in the hearing room during the entire hearing (except during executive session); and
 - c. The direct victim, the guardian of the victim, close relative of a deceased victim, or designee, will be allowed to speak to the panel prior to its making a decision in the case.
- 3) The board has delegated the responsibility for advance notice of a scheduled hearing to the direct victim to the Department of Public Safety and Corrections, Division of Probation & Parole. This notification is not required when the direct victim cannot be located despite the exercise of due diligence.
- 4) The written notice is not required when the victim, the spouse, or next of kin of a deceased victim, advises the board in writing that such notification is not desired.
- 5) If victim notification is determined to have not met the advance notice time requirements required by this section, a victim may request that a hearing be re-scheduled. 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 05-505-POL, "General Procedures". Likewise, a victim may waive the notice requirement; however, such waiver must be received in writing from the victim. See Board Policy 03-301-POL, "Parole Eligibility and Types of Parole", for victim notice requirements on medical parole.
- 6) Should a hearing be re-scheduled by the Board for any reason other than the victim's request, the Board shall notify the victim as soon as possible by telephone and shall follow-up with written confirmation of the telephone notification via certified U.S. Mail (with return receipt requested).

B. Victim Personal Appearance

- 1) The direct victim, the guardian of the victim, or close relative of a deceased victim shall have the right to make a written or oral statement as to the impact of the crime.
- 2) The direct victim, the guardian of the victim, or close relative of a deceased victim, a victim advocacy group, and the district attorney or his representative may also appear before the panel by means of **teleconference or** telephone communication ~~from the office of the local district attorney.~~
- 3) If more than one person is entitled to appear for a parole hearing, the person chosen by all persons entitled to appear may serve as spokesperson for all those entitled to appear. Any person making an oral presentation to the parole panel will be allowed no more than five minutes. However, at the parole panel chairman's discretion more than one person may present a written or oral statement to the panel.
- 4) All persons making oral presentations against an applicant, including victims, shall be allowed cumulatively no more than 10 minutes.

C. Notice to Victim of Parole Release

The Board shall notify all persons who have filed a Victim Notice and Registration Form with the Department of Public Safety & Corrections of an offender's release from incarceration by parole. Such written notice shall be sent by certified mail (with return receipt requested).

D. Notice to Crime Victim Services Bureau of Pardon and Parole Hearings

The Board shall provide notice to the Department of Public Safety & Corrections Crime Victims Services Bureau at least thirty days prior to pardon and parole hearings.

SHERYL M. RANATZA, CHAIRMAN

**Signature on file*

This Policy replaces and supersedes Board Policy 05-509-POL, "Victim Notification and Participation in Hearings" dated August 20, 2019. (Technical revisions only)



**LOUISIANA
BOARD OF PARDONS & PAROLE**

**Number: 05-515-DIR
Date: July 20, 2020
Page: 1 of 3**

BOARD DIRECTIVE

SUBJECT: PUBLIC MEETING DECORUM

PURPOSE: To establish guidelines for meeting decorum during Pardon Board and Committee on Parole hearings.

AUTHORITY: La. R.S. 15:572, **15:573.2**, 15:574.2, **15:574.4.1**, 42:11-28, and 44:1-41

REFERENCES: ACA Standard 2-1093, Board Policies 02-209-POL, "Hearings Before the Board of Pardons, 05-500-POL, "Parole Hearing Process", 05-505-POL, "General Procedures", and 05-509-POL, "Victim Notification and Participation in Hearings".

POLICY:

It is the policy of the Louisiana Board of Pardons & Parole (Board) to provide the public with a reasonable opportunity to observe and participate in its proceedings.

DISCUSSION:

The Board shall provide access and opportunity for public comments on issues under the jurisdiction of the Board. The hearing room is relatively small, therefore the number of individuals allowed to attend the hearing may be limited due to space and security considerations. Members of the public are subject to security procedures and processes employed by the Louisiana Department of Public Safety & Corrections.

PROCEDURE:

A. Public Comments

- 1) At meetings the Board will afford the public an opportunity to present comments on subjects within the Board's jurisdiction that are on the posted agenda for that specific meeting.

- 2) The Chairman shall have discretion in setting reasonable limits on the time allocated for public comments. If several persons have notified Board staff of their desire to address the Board on the same topic, it shall be within the discretion of the Chairman to request that those persons select a representative amongst themselves to express such comments, or limit their comments to an expression of support for views previously articulated.
- 3) Public comment presenters may submit related documentation (a minimum of 5 copies) to the Board staff no later than three (3) calendar days prior to the posted meeting date when the comments are to occur. Such documentation will be distributed to the Board at the meeting. Any documentation submitted after the above-referenced date will not be distributed to the Board until after the comments. Distribution will occur only if the required minimum of 5 copies is provided to the Board staff.
- 4) Comments shall remain pertinent to the issues denoted on the written notification submitted cards.
- 5) A presenter who is determined by security or the Chairman to be disrupting a meeting or hearing shall immediately cease the disruptive activity or leave the meeting room if ordered to do so by the Chairman.

B. Disability Accommodations

- 1) Persons with disabilities who have special communication or accommodation needs and who plan to attend a meeting may contact the Board Office at (225)342-9191. Requests for accommodation shall be made at least two (2) business days prior to a posted meeting.
- 2) The Board shall make every reasonable effort to accommodate these needs. The Board staff will contact the requestor to provide specific information concerning the accommodation.

C. Testimony Conduct and Decorum during Proceedings

- 1) For clemency or parole hearings, only three persons in favor, to include the applicant, and three in opposition, to include the victim/victim's family member, will be allowed to speak **at either in person, via phone or via videoconferencing during** the hearing.
 - a Any person making an oral presentation to the Board will be allowed no more than five minutes. All persons making oral presentations in favor of an applicant shall be allowed cumulatively no more than 10minutes.
 - b All persons making oral presentations against an applicant, including victims, shall be allowed cumulatively no more than 10minutes.
- 2) There is no limit on written correspondence in favor of and/or opposition to a candidate for parole release or an applicant for clemency.

05-515-DIR

July 20, 2020

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- 3) As Pardon and Parole hearings may be considered quasi-judicial proceedings, the Department of Public Safety & Corrections provides security procedures, technology and trained personnel to protect the safety of the people and property within and around the hearing room, as well as the integrity of the process.

- 4) To assure proper decorum in pardon and parole hearings, all proceedings (except executive sessions) shall be audio recorded by Board staff on suitable audio equipment provided by the Department of Public Safety & Corrections. Video recording will not be allowed.
 - a The audio recording will serve as the official record of the proceedings.
 - b Members of the public may request a copy of the audio recording in accordance with La. R.S. 44:1-44:41, the Louisiana Public Records law.
 - c The procedure for making a public request is located at <http://doc.la.gov/public-information/>.
 - d The Department of Public Safety & Corrections has established reasonable fees for the cost of reproduction.

SHERYL M. RANATZA, CHAIRMAN

**Signature on file*

This Directive replaces and supersedes Board Directive 05-515-DIR, "Public Meeting Decorum" dated December 10, 2018. (Technical revisions only).



**LOUISIANA
BOARD OF PARDONS & PAROLE**

Number: 15-1501-POL
Date: July 20, 2020
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BOARD POLICY

SUBJECT: **SUSPENSION OF SUPERVISED PAROLE & INACTIVE PAROLE SUPERVISION**

PURPOSE: To establish guidelines for review of cases that maybe recommended for suspension of supervised parole or Inactive Parole Supervision.

AUTHORITY: LAC Title XI, Title 22, Chapter 7; La. R.S. 15:574.2, La. R.S. 15:574.10.

REFERENCES: Board Policy 11-1101-POL, "Types of Violations"

POLICY:

The Board of Pardons and Committee on Parole (Board) supports the mission of the Department of Public Safety & Corrections and the Division of Probation & Parole. Supervision of offenders by P&P is done in a manner that safeguards the community and meets the programmatic needs of the offender. In order to make the most efficient use of P&P Officer time, cases that qualify for suspension of parole supervision may be placed in suspended status without impacting public safety. Placement of offenders in inactive status will allow for enhanced management of offenders in the greatest need of supervision.

DEFINITION:

Suspended Status: Parole cases that meet the necessary requirements to be placed in a non-reporting status, and who remain in such status until the period of supervision expires or a violation occurs. Once a violation occurs, all conditions of parole shall be reactivated.

Inactive Parole Supervision: Status for parole cases which relieves the offender of all conditions of parole stated in La. R.S. 15:574.4.2(A),(2) except the authority of the Board to revoke based on a new felony conviction as provided in La. R.S. 15:574.10. This action would include relief from supervision fees.

PROCEDURES:

SUSPENDED PAROLE SUPERVISION

- A. After a minimum of eighteen months supervised parole and upon the recommendation of the Division of Probation and Parole, the Board may determine that a parolee merits unsupervised parole and may suspend a parolee's supervision.
 - 1) A Parole Officer may recommend that an offender be placed in suspended status if the offender meets the following criteria:
 - a. Completed a minimum of eighteen months supervision;

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- b. Is a first or second felony offender;
- c. Scored "minimum" on the DOC approved Risk Needs Assessment Tool;
- d. Has completed all special conditions ordered by the sentencing judge and/or Board;
- e. Has remained conviction free (excludes minor traffic and local municipal statutes) for the period of supervision and has no pending criminal matters;
- f. Is a non DWI case;
- g. Is free of any conviction, deferred adjudication withheld for a sex offense as defined in R.S. 15:541;
- h. Is a current non-violent offender (a prior violent offense does not rule out the recommendation for suspended status if the current case meets eligibility requirements).

1. Exceptions to A.1.h.:

- (i) Parole case with a current violent offense that has been on supervision for at least five (5) years and has remained arrest free;
- (ii) Parole case with a current violent offense with a medical or physical condition and is no longer considered a threat to public safety;
- (iii) Parole case with a current violent offense who has been displaced to another state due to emergency situation (i.e., hurricane or other natural disaster) and who do not have a residence plan in Louisiana.

B. A parolee in suspended status may be subject to revocation for parole violations committed prior to the expiration of his full term discharge date. The parolee may be returned to maximum supervision any time prior to the expiration of his full term discharge date if the Division of Probation and Parole makes a report showing that such supervision is in the interest of either the public or the parolee.

INACTIVE PAROLE SUPERVISION

A. During the onset of parole supervision and development of the Supervision Plan, the offender shall be advised of the incentive to be compliant with conditions of supervision in order to be recommended for Inactive Parole Supervision.

B. As determined by the District Manager or during the Annual Review, the officer shall review the offender's case based on the following eligibility requirements,

- 1) Offender's instant offense is not a crime of violence as defined by R.S. 14:2(B) and the offender has served a minimum of three years without a violation of the terms and conditions of parole.
- 2) Offender's instant offense is a crime of violence as defined by R.S. 14:2(B) and the offender has served a minimum of seven years without a violation of the terms and conditions of parole.

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- C. Upon the offender becoming eligible, the officer may submit an Activity Report to the Parole Board recommending the offender be placed on Inactive Parole Supervision.
- D. Upon the Board's approval, the offender's supervision level will be changed to Administrative-Inactive Parole Supervision. At this effective date, the offender is no longer subject to the conditions of parole as defined in La. R.S.15:574.4.2(A)(2). Supervision fees will be inactivated in Cajun.
- E. Should the parolee have a new arrest, the supervising officer will notify the Parole Board and request the parolee to be returned to active parole supervision where the offender will be subject to the conditions of parole as defined in La. R.S.15:574.4.2(A)(2). Supervision fees will be reactivated in Cajun. The supervising officer will follow normal procedures for the violation process outlined in Board Policy 11-1101-POL, "Types of Violations".
- F. Offenders convicted of a new felony conviction while under supervision are subject to revocation under La. R.S. 15:574.10.
- G. If the pending charges against the offender are rejected or dismissed, an Activity Report will be submitted to return the offender to Inactive Parole Supervision.
- H. If the offender completes his period of supervision with no new arrests, the case will be closed at their earned compliance date or full term date as appropriate.

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SHERYL M. RANATZA, CHAIRMAN

**signature on file*

This Policy replaces and supersedes Board Policy 15-1501-POL, "Suspension of Supervised Parole" dated ~~July 20, 2020~~ August 1, 2012. (Technical revisions only)