

# COMMUNITY SUPERVISION

## PART 2: POINT OF ENTRY



by Scott E. Peyton

February 2024

**Right**<sub>On</sub>  
**CRIME**  
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# Community Supervision

## Part 2: Point of Entry

Scott E. Peyton

### Executive Summary

Across the country, nearly 3.8 million men and women are being supervised in their communities on either probation or parole ([Kaeble, 2023, p. 1](#)). In Louisiana, probation and parole (PNP) officers are supervising more than 43,000 men and women through community supervision ([Louisiana Department of Public Safety & Corrections, n.d.-a](#)). Community supervision provides an alternative to incarceration, allowing those on supervision to remain in their communities under a probation or parole officer's supervision.

In part two of our Community Supervision series, this research will outline the entry into community supervision, both probation and parole, in the Pelican State and the statutory authority for each method of entry.

The National Institute of Corrections points out that “probation, and parole/aftercare, are among the criminal and juvenile justice systems least known and understood aspects by the public” ([National Institute of Corrections, n.d., para 1](#)). The goal is to provide an overview of the “least known and understood” part of the criminal justice system.

### Introduction

This paper is the second part of the Community Supervision series focusing on how individuals enter adult probation or parole in Louisiana. In the first part, [Community Supervision: Part 1: Fees and Fines](#), we focused on the over-reliance on fees and fines, probation and parole collection practices, and we outlined ways to improve community supervision in Louisiana as it relates to fees and fines ([Peyton, 2023](#)).

The two components of community supervision, probation and parole, have many similarities but are distinct in the legal functions they serve. Probation is used as an alternative to being sentenced to a period of incarceration, while parole is used as a mechanism to release individuals who can safely serve the rest of their sentence through supervision in their community. This paper will outline how the 43,000 individuals on community supervision in Louisiana entered community supervision, the conditions of supervision they must follow, and recommendations for how community supervision can be used better to ensure public safety and rehabilitation for those on supervision ([Louisiana Department of Public Safety & Corrections, n.d.-a](#)).

The path to both probation and parole begins with a criminal conviction. However, the conditions, terms, and length of supervision differ.

### Key Points

- A thorough review of the Probation and Parole budget is recommended to identify opportunities for increased efficiency and to maintain the effectiveness and impact of community supervision.
- The Louisiana legislature should review and update current Louisiana Department of Corrections policies concerning Earned Compliance Credits to conform with American Legislative Exchange Council (ALEC) model legislation.
- To ensure consistency across the state, and to assess the effectiveness of the violation/revocation process, probation and parole should report quarterly revocation data by district office and officer.
- Special and general conditions of supervision should only include conditions directly related to public safety and should be tailored to the specific needs of the probationer.
- Expand and fund partnerships with non-profit organizations.

## Probation

### Definition

The United States Courts define probation as “a punishment that is less severe than imprisonment, but still holds people accountable for breaking the law” ([United States Courts, n.d., para 2](#)). This definition is expanded to include “an alternative to jail or prison that costs less than incarceration and gives people charged with or convicted of federal crimes the opportunity to live with their families, hold jobs, and be productive members of society.”

In Louisiana, the Division of Probation and Parole describes its mission as supervising “adult returning residents under community supervision through the enforcement of legal statutes and community-based programs designed to facilitate the returning resident’s adjustment and reintegration into society” ([Louisiana Department of Corrections, n.d.](#)).

### Purpose

Probation is an alternative to incarceration that allows an individual to serve his or her sentence in the community under the supervision of a probation officer. It is important to point out that some probationers may have never spent a night in jail, and others may have served several months or years in pre-trial detention if they were unable to bond out. The American Probation and Parole Association ([n.d., para 1](#)) defines the purpose of probation as

*[assisting] in reducing the incidence and impact of crime by probationers in the community. The core services of probation are to provide investigation and reports to the court, to help develop appropriate court dispositions for adult offenders and juvenile delinquents, and to supervise those persons placed on probation.*

### Demographics

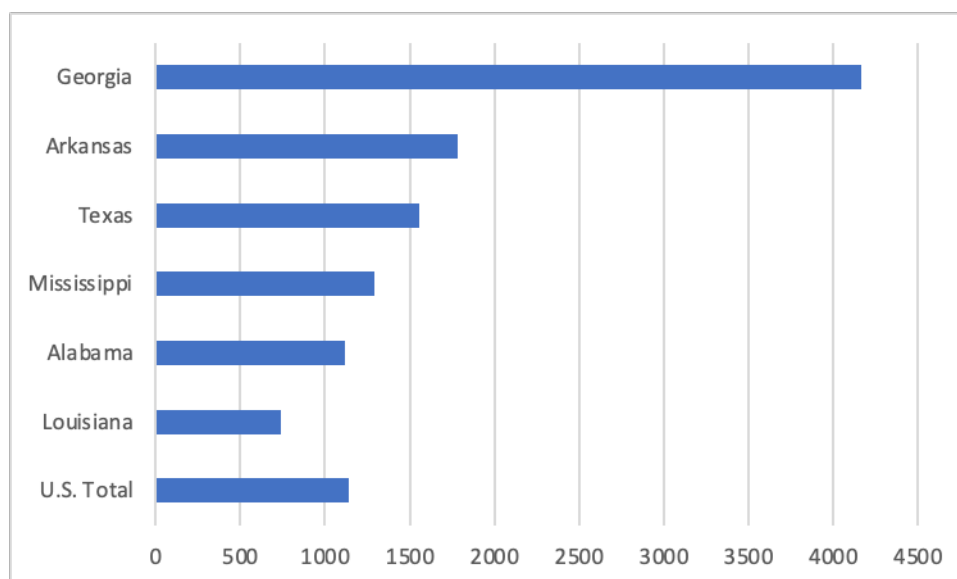
In 2021, nearly 3 million individuals were on probation in the United States ([Kaeble, 2023, p. 1](#)). In Louisiana, as of October 2023, there were 25,278 individuals on probation supervision ([Louisiana Department of Public Safety and Corrections, n.d.-a](#)). Louisiana has the lowest rate of probationers per capita among its neighboring states and is below the national average (see [Figure 1](#)).

Using data from the Louisiana Department of Corrections (LDOC) Dashboard, the following graphs provide an overview of who is on probation supervision in Louisiana and for what types of offenses.

### Probation Eligibility

After being convicted of a felony, the court may, as part of the sentence, order that a period of probation be served in accordance with [Article 893](#), Louisiana Code of Criminal Procedure. Along with probation, the court may order special conditions in addition to the standard conditions

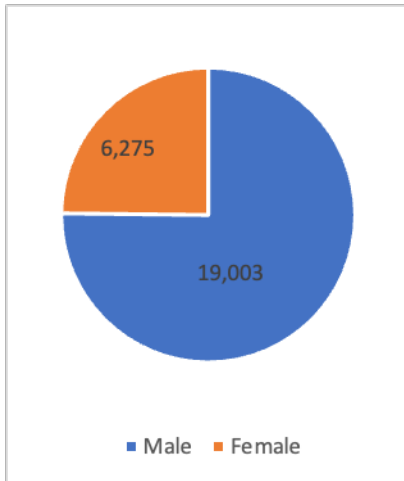
**Figure 1**  
2021 Adult Probation Population Per 100,000 U.S. Residents



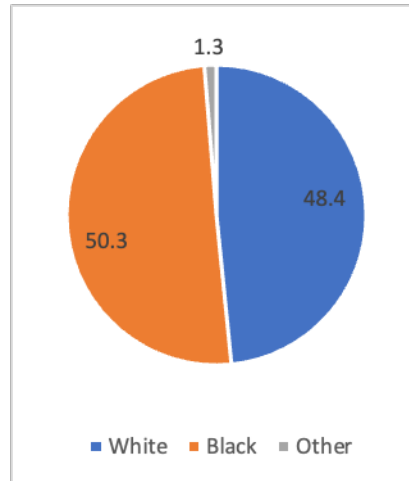
Note. Data from *Probation and Parole in the United States, 2021*, by D. Kaeble, U.S. Department of Justice, 2023, pp. 21-22 (<https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/ppus21.pdf>).

## 2023 Snapshot of Louisiana Probationers

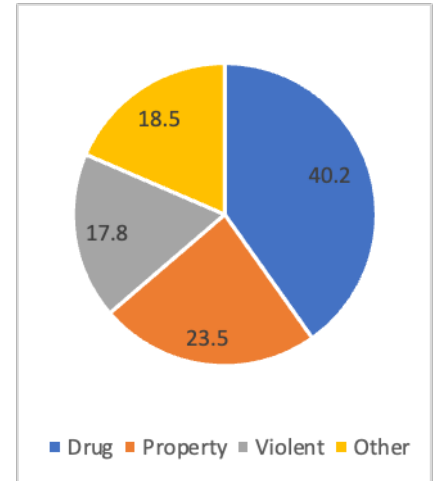
**Figure 2**  
Gender



**Figure 3**  
Race



**Figure 4**  
Offense



Note. Data from *P&P Demographic Dashboard*, Louisiana Department of Public Safety and Corrections, n.d., retrieved December 8, 2023 (<https://doc.louisiana.gov/pp-demographic-dashboard/>).

of probation (see Appendix A) as outlined in [Article 895](#), Louisiana Code of Criminal Procedure.

[Article 893](#), Louisiana Code of Criminal Procedure, outlines who is eligible for probation by either suspension or deferral of sentence. Between the two options, there is no difference in how probation supervision is implemented. [Subsection A.\(1\)\(a\)](#) states

*When it appears that the best interest of the public and of the defendant will be served, the court, after a first, second, or third conviction of a noncapital felony, may suspend, in whole or in part, the imposition or execution of either or both sentences, where suspension is allowed under the law, and in either or both cases place the defendant on probation under the supervision of the division of probation and parole.*

A suspended sentence is a conviction, while a deferred sentence can result in a dismissal of prosecution upon successful completion of probation. [Article 893\(B\)\(3\)](#) limits probation terms to three years. However, [Article 893\(G\)](#) and [Article 893\(H\)\(5\)](#) allow for a longer than three-year term for those participating in drug court. Additionally, in

the case of noncompliance with the conditions of probation the term can be extended for up to 2 years.

In the case of a suspended sentence, the court sentences the defendant to serve a set time in the custody of LDOC and then suspends the sentence, placing the defendant on probation for a set period of years, as outlined in [Article 893](#). For example, Appendix C presents a case from the 27th Judicial District Court (JDC), St. Landry Parish, Louisiana. In this case, the defendant entered a guilty plea on two separate counts of Possession of Marijuana with the Intent to Distribute. The court sentenced the defendant, “on each count, three (3) years at hard labor<sup>1</sup> suspended and is placed on Active Supervised Probation for three (3) years.” Additionally, the minutes outline special conditions that include payment of supervision fees, court costs, and fines associated with probation supervision.

*When it appears that the best interest of the public and of the defendant will be served, the court may defer, in whole or in part, the imposition of a sentence after conviction of a first offense noncapital felony under the conditions set forth in this Paragraph. When a conviction is entered under this Paragraph, the court may*

<sup>1</sup> “Hard labor” refers to a sentence that will be served in the custody of the Louisiana Department of Corrections. The term “hard labor” has been used in Louisiana as part of sentencing as early as 1805 (Stout, 1934, p. 4).

*defer the imposition of sentence and place the defendant on probation under the supervision of the division of probation and parole. ([Article 893\(E\)\(1\)\(a\)](#))*

In the case of a deferred sentence, the court delays the imposition of the sentence and places the defendant on probation for a period of time as outlined in [Article 893](#). Upon successful completion of probation, “the court may set the conviction aside and dismiss the prosecution,” as described in Section [893\(E\)\(2\)](#). If probation is revoked, a sentence would be ordered that would include incarceration.

Except for a first conviction, offenses that are designated as crimes of violence are not eligible for suspension or deferral of sentence. [Article 893\(A\)\(2\)](#) states that a defendant’s “first conviction for an offense with a maximum prison sentence of ten years or less that was not committed against a family member or household member as defined by [R.S. 14:35.3](#), or dating partner as defined by [R.S. 46:2151](#)” qualifies for probation not to exceed five years.

### ***Length of Probation***

[Article 893](#) sets the length of probation, and these time periods shall not exceed three years for non-violent offenses. Those offenses identified as crimes of violence shall not exceed five years with the exception that the length may be extended up to an additional two years if the probationer is not in compliance with the terms and conditions of probation.

### ***Earned Compliance Credits (ECC)***

Article [895.6\(A\)\(1\)](#) outlines the criteria for receiving earned compliance credits (ECC). ECC refers to a diminution of probation sentence at a rate of “thirty days for every full calendar month on probation.” Crimes of violence outlined in [RS14:2\(B\)](#), and sex offenses, are not eligible for ECC. For all others offenses, this equates to one half of the probation period ordered by the court being reduced. These credits are awarded at the beginning of the period and may be taken away if the probationer violates the conditions of probation. For example, a defendant sentenced to serve three years on probation may be eligible for the termination of his probation in 18 months, provided he remains in compliance with the terms and conditions of supervision. Upon completion, PNP notifies the court of the ECC release by submitting a compliance report to the court.

Louisiana implemented ECC credits in 2017. During my last two years as a PNP officer, I had success in using

ECCs as both a reward and a sanction to address low-level, technical violations. Technical violations are violations of the conditions of supervision that do not result in a new conviction or are not violations of criminal law. Examples are “failing to report for a scheduled office visit; missing a curfew; testing positive for a drug or alcohol screen; or changing residence without permission” ([Louisiana Department of Public Safety and Corrections, 2022, p. 41](#)). ECCs and the use of rewards and punishments can be an effective tool to promote compliance and successful completion of supervision, as noted in the University of Wyoming research of an intensive probation supervision unit of the Wyoming Department of Corrections ([Wodahl et al., 2011](#)). Rewards can be as simple as verbal praise, awarding earned compliance credits, approving special activities, and reducing fees ([p. 391](#)). This study also found consistently holding accountable those on supervision is important ([p. 399](#)). Louisiana makes use of a performance grid to assist with sanction options and to address consistency. Lastly, rewards and punishments must be used in concert. The likelihood of success increases with a 4:1 ratio of rewards to punishment ([p. 399](#)). Individuals with a 1:2 ratio in the study had a 19% predicted probability of success, compared to a 57% probability of success for those with a 4:1 ratio ([p. 399](#)).

In 2010, South Carolina made legislative changes to its use of administrative sanctions that led to several positive outcomes, including

*increased use of administrative sanctions, a 46 percent decline in the number of revocations, and a decrease in the proportion of people incarcerated during the first year of supervision, from 10 percent for the fiscal year 2010 cohort to less than 5 percent among the fiscal 2014 cohort ([Peltier, et al., 2017, p. 7](#))*

As probationers complete their sentences more quickly, this allows officers the ability to focus their time on those who present a medium to high risk of reoffending. ECCs are part of the American Legislative Exchange Council’s (ALEC) model legislation. ALEC points out that

*For corrections agencies to efficiently allocate supervision, they must have the authority to focus their staff, services and sanctions on higher-risk offenders. To do so without additional funding, agencies need to be able to move lower-risk probationers and parolees to less-intensive levels of supervision—or off of supervision altogether—if they are fulfilling their obligations*

and conditions, including paying restitution ([American Legislative Exchange Council, 2017](#)).

### Conditions of Probation

[Article 895](#) sets forth the conditions of probation for felony offenses (see [Appendix A](#)). The first condition is to “refrain from criminal conduct and to pay a supervision fee to defray the costs of probation supervision.” There are 13 additional conditions outlined in the code. In addition to the standard conditions of probation, the court may impose special conditions. Special conditions may include the payment of fees, fines, court costs, and may also specify completion of substance abuse treatment, mental health evaluation/treatment, educational goals, and any other specific requirements tailored to the probationer’s needs.

When probationers meet with a probation officer for the initial intake, the conditions are read and explained to the probationer. A copy of the signed conditions of probation is given to the probationer and a copy is filed with the clerk of the court, therefore becoming a part of the court record.

The Pew Charitable Trusts ([2020b](#)) published a fact sheet regarding policies that can improve community supervision. The report recommends “limiting conditions to those that are most likely to enhance public safety and align with each person’s case plan goals and assessed risks” ([p. 3](#)). While these conditions were explained in court at the time of sentencing, it was my experience during the intake process that many probationers were overwhelmed at the number and scope of conditions.

Violations of the terms and conditions of probation are addressed by the sentencing court and may result in a revocation. In some instances, a technical revocation is ordered (which may be up to 120 days in prison) and upon completion, there is a return to probation supervision. A full revocation results in a termination of probation and the probationer serves the portion of the sentence that was suspended. In the case of a deferred sentence, after the revocation hearing, the probationer is sentenced to a term of imprisonment. Upon completion of the prison sentence, the individual will be released to parole supervision.

### Parole

The second point of entry is parole. In the case of parole, every individual on parole has served time in the custody of the LDOC.

In Louisiana, some felony statutes allow for a sentence to be served “with or without hard labor.” A “without hard labor” sentence is served in a parish jail in the custody of the sheriff (not LDOC), and upon release there is no parole. This creates some confusion as the LDOC houses nearly 50% of those serving hard labor sentences in parish jails, rather than state prisons<sup>2</sup> ([Louisiana Department of Public Safety and Corrections, n.d.-b](#)). However, these individuals are still considered to be in LDOC custody and the LDOC reimburses the sheriff at a daily rate of \$26.39 per inmate, as outlined in [RS 15:842 B.\(1\)\(a\)](#). LDOC will spend \$176 million to house inmates in parish jails ([HB 1, 2023, p. 141](#)). This accounts for 25% of LDOC’s total budget of \$687 million.

### Definition

The Louisiana Board of Pardons and Parole defines parole in Louisiana as providing “for an offender to serve the latter portion of his or her sentence within the community, but under direct supervision of the Department of Public Safety and Corrections, Division of Probation and Parole” (2019, p. 1).

A major difference between probation and parole is that the courts have jurisdiction over the probationer, while the state parole board has jurisdiction over the parolee. Violations of parole are addressed through the parole board and are dictated by LDOC policy.

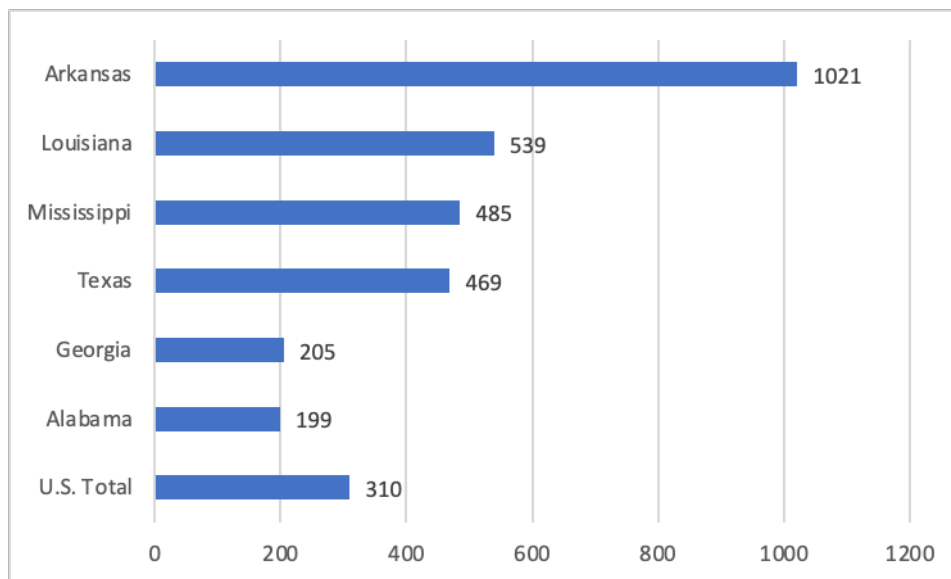
### Purpose

Parole allows for the continuation of rehabilitative efforts, assistance with re-integration back into the community, and supervision to ensure adherence to the conditions of parole. The parolee must follow the conditions of parole, which are outlined in Louisiana statute, along with additional, or “special,” conditions (i.e., attendance to Alcoholic Anonymous meetings, mental health evaluation, no contact with victim or co-defendant, earn a GED, curfew, electronic monitoring), which may be ordered by the parole board. (See [Appendix D](#) for a complete listing of parole special conditions.) Failure to follow the conditions of parole could result in a return to prison (also known as revocation).

Parole also serves as an incentive for the incarcerated individual to take advantage of programming offered in the institution in order to show rehabilitation, which can potentially lead to an early release.

<sup>2</sup> Louisiana utilizes existing jail space in lieu of building additional state prisons.

**Figure 5**  
2021 Adult Parole Population Per 100,000 U.S. Residents



Note. Data from *Probation and Parole in the United States, 2021*, by D. Kaeble, U.S. Department of Justice, 2023, pp. 28-29 (<https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/ppus21.pdf>).

**Demographics**

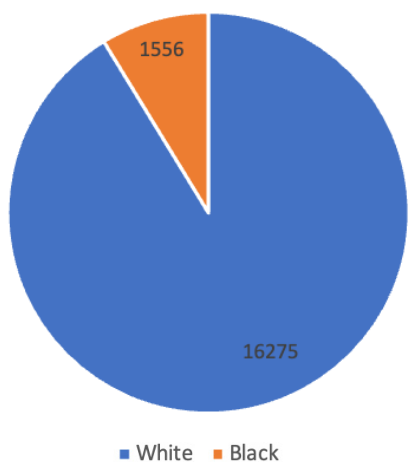
In 2021, more than 803,000 individuals were on parole supervision in the United States (Kaeble, 2023, p. 1). In Louisiana, as of October 2023, there were 17,831 individuals on parole supervision, comprising of 15,307 on good time parole supervision (GTPS), and 2,524 on parole

supervision ([Louisiana Department of Public Safety and Corrections, n.d.](#)).

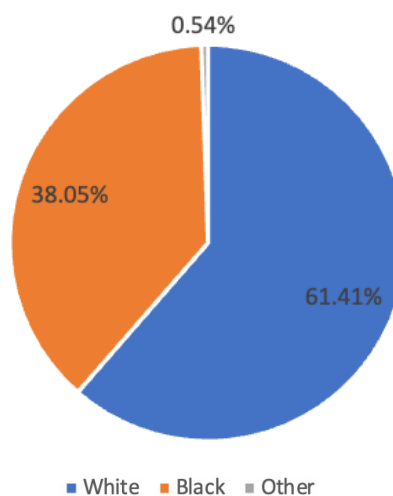
Louisiana is second in parolees per capita among its neighboring states, and has nearly double the national average, as outlined in Figure 5.

**2023 Snapshot of Louisiana Parolees**

**Figure 6**  
Parole & GTPS – Gender



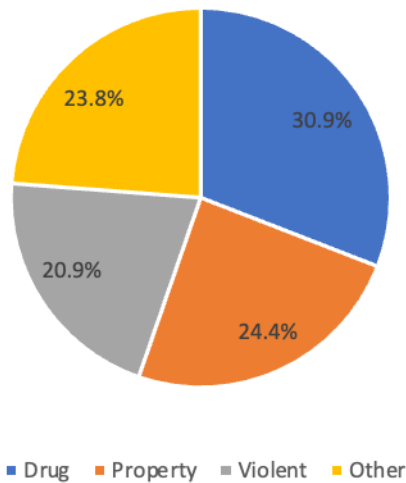
**Figure 7**  
Parole & GTPS – Race



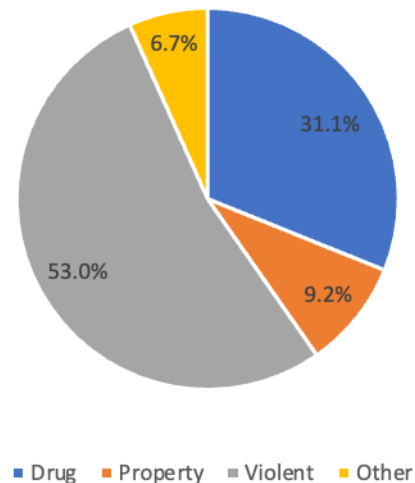
Note. Data from *Pe&P Demographic Dashboard*, Louisiana Department of Public Safety and Corrections, n.d., retrieved December 8, 2023 (<https://doc.louisiana.gov/pp-demographic-dashboard/>).



**Figure 8**  
Good time Parole - Offense Type



**Figure 9**  
Parole - Offense Type



Note. Data from *P&P Demographic Dashboard*, Louisiana Department of Public Safety and Corrections, n.d., retrieved December 8, 2023 (<https://doc.louisiana.gov/pp-demographic-dashboard/>).

According to data from the LDOC Dashboard, **Figures 6 to 9** provide an overview of who is on parole supervision in Louisiana and for what types of offenses.

**Parole Eligibility**

There were 13,375 releases from Louisiana prisons in 2022 ([Louisiana Department of Public Safety and Corrections, 2023, p. 59](#)). Diminution of Sentence, or GTPS, accounted for 85.5%, which does not require a decision from the parole board. Additionally, 7.1% served the entirety of their sentence (no parole), 2.9% were released after a favorable vote by the parole board, and 1.1% died while incarcerated ([p. 59](#)).

**Parole Board.** The committee on parole is composed of five members who are appointed by the governor. Parole hearings are heard by three to five parole board members, depending on the parole case being heard. In 2022, the committee on parole held 995 parole hearings of which 471 were granted and 524 were denied parole ([Louisiana Board of Pardons and Parole, 2022, p. 16](#)). Since 2017, the committee on parole has had a parole grant rate of 49% ([p. 19](#)). Parole board releases account for only 2.9% of prison releases in Louisiana.

**Diminution of Sentence (GTPS).** LDOC defines “Diminution of Sentence” in Department Regulation No. OP-D-1 as “a reduction of sentence earned by good behavior or self-improvement activities, or both; Known as “good time.” Offenders released on diminution of sentence are released under “good time parole supervision” (Louisiana Department of Public Safety and Corrections, 2017, p. 2).

[Louisiana Revised Statute RS 15:731.1](#) sets forth the eligibility for diminution of sentence for good behavior, or good time parole supervision (GTPS). For those felony sentences served “without hard labor”, the amount of time is calculated differently than those sentenced “with hard labor”. A “without hard labor” sentence is served in a parish jail in the custody and control of the local sheriff. An individual serving a “with hard labor” sentence is in the custody and control of LDOC.

The statute also provides that the LDOC secretary shall establish regulations for awarding, recording, and determining when the individual has earned good time. Department Regulation No. IS-B-8 along with attachments A-C, titled *Institutional Services / Health Care Policies, Classification, Certified Treatment and Rehabilitation Programs (CTRP) Earned Credit and Adding New CTRP’s*,

and Department Regulation OP-D-1 titled *Operations, Sentencing, Sentence Computation, Jail Credit; Diminution of Sentence; Violations* were established by LDOC in accordance with [RS 15:571.3](#).

**Without Hard Labor.** [RS 15:571.3 \(A\)\(1-3\)](#) outlines the earning rates, eligibility, and specifies that the sheriff has the sole authority to determine when good time has been earned. For those serving sentences under the supervision of a local jail, good time credits are awarded at a rate of thirty days for every thirty days in custody (50% reduction of sentence), except for someone convicted for a first time of a crime of violence as outlined in [RS 14:2\(b\)](#). In this case, good time credits are awarded at the rate of three days for every 17 days in actual custody (15% reduction of sentence). If convicted for a second time for a crime of violence, as outlined in [RS 14:2\(b\)](#), this disqualifies one for receiving good time credits (no reduction in sentence).

**With Hard Labor.** [RS 15:571.3 \(B\)](#) outlines the earning rates and eligibility for those serving sentences in the custody of LDOC. For those serving sentences under the supervision of LDOC (other than those convicted of a 4th or subsequent time for a non-violent felony, a sex offense, habitual offenders, or those exceptions listed in the statute), diminution of sentence is at the rate of 13 days for every seven days in actual custody served (65% reduction of sentence).

[RS 15:571.3 \(B\)\(3\)](#) was added in the 2023 Regular Session with the passage of HB 70 (2023) and applies to 4th and subsequent offenders, excluding sex offenses. Fourth and subsequent offenders will earn a diminution of sentence at a rate of one day for every two days in actual custody to include time spent prior to sentencing (33% reduction of sentence).

If convicted of a crime of violence without a prior crime of violence conviction, or a sex offense, diminution of sentence is at a rate of one day for every three days in custody (25% reduction of sentence; [RS 15:571.3 \(B\)\(2\)\(a\)](#)).

If convicted for a second time for a crime of violence, as outlined in [RS 14:2\(b\)](#), a parolee is disqualified from receiving good time credits (no reduction in sentence).

**Additional Credits - Certified Treatment and Rehabilitation Program (CTRP) Earned Credits.** In addition to diminution of sentence (“good time”) outlined above, up to 360 days of additional time credit can be

earned by participating in certified treatment and rehabilitation programs (CTRP) as outlined in [RS 15:828\(B\)](#). Sex offenses and multiple convictions for crimes of violence are not eligible to earn these additional credits. CTRP is defined in Department Regulation No. IS-B-8 as

*a program related to the overall goals of reducing recidivism by improving the educational, vocational, employment skills and personal development of the offenders and approved by the Secretary to earn CTRP earned credits. Such programs include but are not limited to basic education, vocational training, values development and faith-based initiatives, therapeutic programs, and treatment programs (Louisiana Department of Public Safety and Corrections, 2021, p. 2)*

[RS 15:571.3 \(E\)](#) allows for a habitual offender (excluding sex and violent offenses) the ability to earn good time for participation in CTRPs.

**Parole (Releases from the Parole Board).** Unlike diminution of sentence, which is automatic and does not require a vote or approval from the parole board, all other parole releases require a parole board hearing.

[RS 15:574.4](#) outlines parole eligibility requirements for those serving sentences in the custody of LDOC. There are 11 paragraphs (A-K) in this statute and nine apply to parole eligibility. Sections (C) and (I) relate to procedures and reporting requirements. The requirements are outlined below:

[RS 15:574.4 B Life Sentences.](#) Paragraph B(1) addresses several exceptions to parole eligibility for life sentences.

Except as provided in Paragraph (2) of this Subsection, and except as provided in Paragraph (A)(5) and Subsections D, E, and H of this Section, 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 ([RS 15:574.4 B\(1\)](#)).

Additionally, 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

**Table 1**  
**Parole Eligibility Requirements RS 15:574.4**

<b>15:574.4 (Paragraphs A) Parole eligible:</b>	<b>Actual time served</b>	<b>Additional Requirements</b>	<b>Exclusions</b>
A(1)(a) - Unless eligible at an earlier date.	25%	N/A	Instant offense is a crime of violence, sex offense, or a fourth of subsequent conviction of a nonviolent felony.
A(1)(b)(i) - Instant offense is a second conviction of a crime of violence; or first or second conviction of a sex offense ( <a href="#">2017 Regular Session, Act 280</a> ).	75%	Offense committed or probation /parole revoked on or after 11/01/2017.	Third of subsequent conviction for crime of violence or sex offense conviction.
A(1)(b)(ii) - Convicted for the first time of a crime of violence ( <a href="#">2017 Regular Session, Act 280</a> ).	65%	Offense committed or probation /parole revoked on or after 11/01/2017.	Prior convictions for crime of violence or sex offense.
A(1)(c) - A fourth or subsequent conviction of a nonviolent felony offense.	65%	N/A	Sex offense convictions.
A(2) - Committed to LDOC for thirty years or more (with or without the benefit of parole) (1991 Regular Session, Act 790; <a href="#">2022 Regular Session, Act 750</a> "Geriatric Parole").	At least 20 years	Must be 45 years old. If a life sentence, it must have been commuted to a fixed term of years.	Has been convicted of an offense that is both a crime of violence and a sex offense when the offense was committed on or after January 1, 1997.
A(3) - Serving a life sentence for the production, manufacturing, distribution or dispensing or possessing with the intent to produce, manufacture, or distribute heroin ( <a href="#">2009 Regular Session, Act 533</a> ).	At least 15 years	N/A	N/A
A(4) - Committed to LDOC serving a term "with or without benefit of parole" (2011 Regular Session, Act 253 "Geriatric Parole").	At least 10 years	Must be 60 years old. Meet the requirements outlined in (A)(4)(c)-(A)(4)(f).	Convicted of crime of violence or sex offense. Committed a major disciplinary offense in 12 months prior to the parole hearing date.
A(5) - Notwithstanding the provisions of Paragraph (A)(1) or subsection B of this section (2016 Regular Session, Act 469).	At least 15 years	Was not eligible for parole consideration at an earlier date. Was sentenced to life imprisonment without parole, probation, or suspension of sentence when instant offense was committed between 06/29/1995 and 06/15/2001.	Instant offense is a crime of violence. Convicted of an offense that is both a crime of violence and sex offense. If qualified for sentence of life imprisonment without parole, probation, or suspension of sentence as a third or subsequent offense under RS 15:529.1 as amended by Acts 257 and 282 of the 2017 Regular Session.
A(6) - Life sentence for conviction of 3rd of subsequent felony offenses as a habitual offender (RS 15:529.1).	15 years	Not eligible for parole at an earlier date.	Instant offense is a crime of violence. Convicted of an offense that is both a crime of violence and sex offense. If qualified for life sentence under RS 15:291.1.

**Table 2***Life Sentence, With or Without Benefit of Parole, Eligibility – Eligibility Requirements*

<b>15:574.4 Paragraph B.(2) 2012 Regular Session, Act 401 Serving life sentence, parole eligible if:</b>	<b>Actual time served</b>	<b>Additional Requirements</b>	<b>Exclusions</b>
(a) - At least 18 years old and under the age of 25 years old at the time of sentencing.	At least 25 years	(see Appendix E)	Has not been convicted of a crime of violence or sex offense.
(b) - At least 25 years old and under the age of 35 years old at the time of sentencing.	At least 20 years	(see Appendix E)	Has not been convicted of a crime of violence or sex offense.
(c) - At least 35 years old and under the age of 50 years old at the time of sentencing.	At least 15 years	(see Appendix E)	Has not been convicted of a crime of violence or sex offense.
(d) - At least 50 years old at the time of sentencing.	At least 10 years	(see Appendix E)	Has not been convicted of a crime of violence or sex offense.

sixty-five percent of the sentence imposed, before being eligible for parole ([RS 15:574.4 B. \(1\)](#)).

[RS 15:574.4 B. \(2\)](#) **Life Sentence, with or without benefit of parole, eligibility.** This section outlines the parole eligibility requirements for a person serving a life sentence, with or without the benefit of parole, and who has not been convicted of a crime of violence, provided they meet the criteria set below:

[RS 15:574.4 D](#) **18 years old at the time of commission of offense.** Except for those convicted of first- or second-degree murder, any person serving a life sentence who was under the age of 18 at the time of commission of the offense shall be eligible for parole consideration, provided they meet the criteria outlined in the statute. The two main requirements are that 25 years of the sentence have been served and that the individual has not committed any major disciplinary offenses in the twelve consecutive months prior to the parole hearing date (see Appendix F) ([Act 277, 2017](#)).

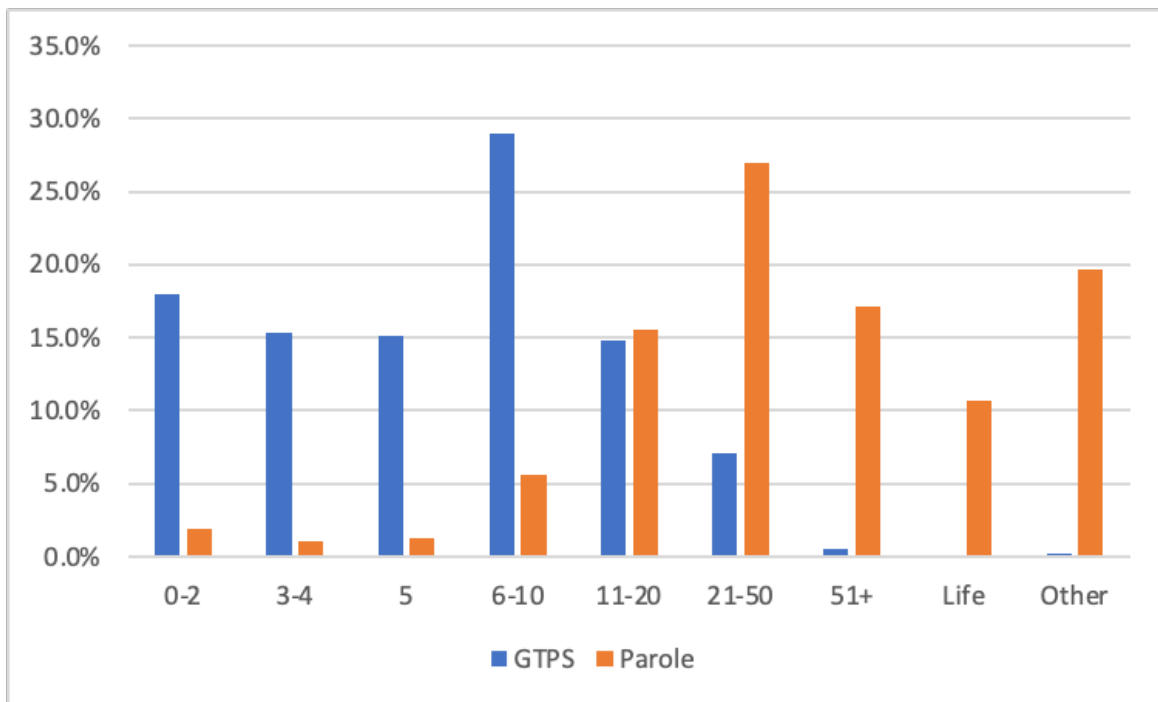
[RS 15:574.4 E](#) **18 years old at the time of commission of offense – First Degree Murder.** Any person serving a life sentence who was under the age of 18 at the time of commission of the offense shall be eligible for parole consideration if a judicial determination has been made that the

person is entitled to parole eligibility (in accordance with [CCRP 878.1\(A\)](#) and additional conditions outlined in the statute). Additionally, the indictment for the offense must be on or after August 1, 2017, for the person to be eligible for such parole consideration. The two main requirements are that 25 years of the sentence have been served and that the individual has not committed any major disciplinary offenses in the twelve consecutive months prior to the parole hearing date (see Appendix F) ([Act 277, 2017](#)).

[RS 15:574.4 F](#) **18 years old at the time of commission of offense – Second Degree Murder.** Any person serving a life sentence who was under the age of 18 at the time of commission of the offense, and the indictment for the offense is on or after August 1, 2017, shall be eligible for parole consideration, provided they meet the criteria outlined in the statute. The two main requirements are that 25 years of the sentence have been served and that the individual has not committed any major disciplinary offenses in the twelve consecutive months prior to the parole hearing date (see Appendix F) ([Act 277, 2017](#)).

[RS 15:574.4 G](#) **18 years old at the time of commission of offense – First- or Second-Degree Murder.** Any person serving a life sentence who was under the age of 18 at the time of commission of the offense, and the indictment for the offense was prior to August 1, 2017, shall be eligible

**Figure 10**  
*Length of Supervision*



Note. Data from *Briefing Book July 2023 Update*, Louisiana Department of Public Safety and Corrections, 2023, p. 96 (<https://doc.louisiana.gov/wp-content/uploads/2023/10/0m-Full-Briefing-Book-July-2023-Website.pdf>).

for parole consideration if a judicial determination has been made that the person is entitled to parole eligibility (in accordance with CCRP 878.1(B) and additional conditions outlined in the statute). The two main requirements are that 25 years of the sentence have been served and that the individual has not committed any major disciplinary offenses in the twelve consecutive months prior to the parole hearing date (see Appendix F) ([Act 277, 2017](#)).

[RS 15:574.4 H Second Degree Murder \(July 7, 1973 – June 29, 1979\)](#). In the 2017 Louisiana Regular Session, [SB 139 \(ACT 280\)](#), one of ten bills in the Justice Reinvestment Initiative, carved out parole eligibility for individuals serving a life sentence for second degree murder if the offense was committed after July 2, 1973 and prior to June 29, 1979. Additionally, the individual must have served at least 40 years of the sentence, and a unanimous vote from a five-member parole board panel is required for parole eligibility.

According to an article in *Houma Today*, the changes made by Act 280 applied to 110 to 120 inmates who were convicted of second-degree murder between 1973 and 1979 and sentenced to life in prison with the possibility of

parole. Due to changes in parole eligibility over the ensuing years, parole was “denied to them because of contradictory state laws” ([Associated Press, 2017](#)).

[LA RS 15:574.4 K “10/6 Lifers.”](#) In the 2022 Louisiana Regular Session, [SB 273](#) was passed to address a group of inmates known as the “10/6 lifers.” In 1926, those serving life sentences were released after serving 10 ½ years of their sentence. However, due to a series of legislative changes in parole eligibility over the ensuing years, those who had entered pleas of guilty (with the understanding that they would be released after 10 ½ years) were left with no parole options. It was estimated that approximately 65 people were made eligible for parole after the passage of [SB 273 \(Equal Justice Initiative, 2022\)](#).

#### **Length of Parole**

Unlike probation where the length of supervision is limited to three to five years, the length of parole supervision is unique for each parolee. After being released from prison, the parolee will continue to serve the original length of the imposed sentence while in the community. For example, if sentenced to five years and released after serving two years, the parolee would serve three years on parole supervision.

As noted in **Figure 10**, the majority of GTPS releases are serving six to ten years on supervision, while the majority of parole board releases are serving 21 to 50 years on supervision.

### **Conditions of Parole**

The conditions of parole are set forth in [RS 15:574.4.2](#) for prisoners who are released from LDOC custody. Prior to release, the prospective parolee is read the conditions of parole and signs the parole certificate (see Appendix D) acknowledging their compliance to the conditions. The parole certificate contains the location of the parole office to which they are to report, the full-term date (end of parole), and indicates any special conditions. The statute reads,

A.(1) The committee on parole may make rules for the conduct of persons heretofore or hereafter granted parole. When a prisoner is released on parole, the committee shall require as a condition of his parole that he refrain from engaging in criminal conduct.

(2) The committee may also require, either at the time of his release on parole or at any time while he remains on parole, that he conform to any of the following conditions of parole which are deemed appropriate to the circumstances of the particular case ([RS 15:574.4.2](#)).

The parole board may order special conditions in addition to those outlined in [RS 15:574.4.2](#) (see Appendix B).

## **Results**

In 2017, the Louisiana Legislature approved a set of 10 bills collectively known as the Justice Reinvestment Initiative (JRI). One of JRI's four goals aimed to strengthen the role of community supervision ([Louisiana Department of Public Safety and Corrections, 2023](#)).

### **Budget**

The 2023 budget for probation and parole amounts to nearly \$97 million, representing 14% of the overall LDOC budget. PNP, with a staff of 753, oversees the supervision of almost 43,000 individuals ([HB 1, 2023, pp. 60-61](#)). This is a 48% increase from the \$65 million budget for the 2015-2016 fiscal year ([HB 1, 2015, p. 61](#)). Simply dividing the budget by the number of individuals on supervision reveals a rough cost of around \$6.00 a day for community supervision, compared to \$26.39 a day paid to sheriffs to house LDOC inmates.

### **Officer Caseloads**

One notable impact of the JRI is the decrease in the total number of individuals on community supervision, resulting in a significant reduction in average caseload sizes for PNP officers. This shift not only reflects a commitment to more manageable caseloads but allows officers to focus their efforts and resources on those who pose a greater risk to public safety.

Since 2017, the total number of individuals under community supervision has decreased from 71,520 to 46,170 ([Louisiana Department of Public Safety and Corrections, 2022, p. 21](#)). This translates to an average caseload of 91 individuals per PNP officer, marking a 35% reduction from pre-2017 caseload sizes ([p. 21](#)).

### **New Cases in 2021**

In 2021, there were 11,233 new probation cases, with 4,956 for drug offenses, 2,650 for property crimes, and 1,700 for violent offenses. During the same period, there were 10,641 new GTPS cases and 314 parole supervision cases ([Louisiana Department of Public Safety and Corrections, 2022, pp. 16, 20](#)).

### **Earned Compliance Credits**

In 2021, 71.3% of the community supervision population were eligible for ECCs. PNP officers rescinded 25,076 months of compliance credits from probationers and parolees in 2021. This figure has nearly doubled since the introduction of ECCs on November 1, 2017 ([p. 22](#)).

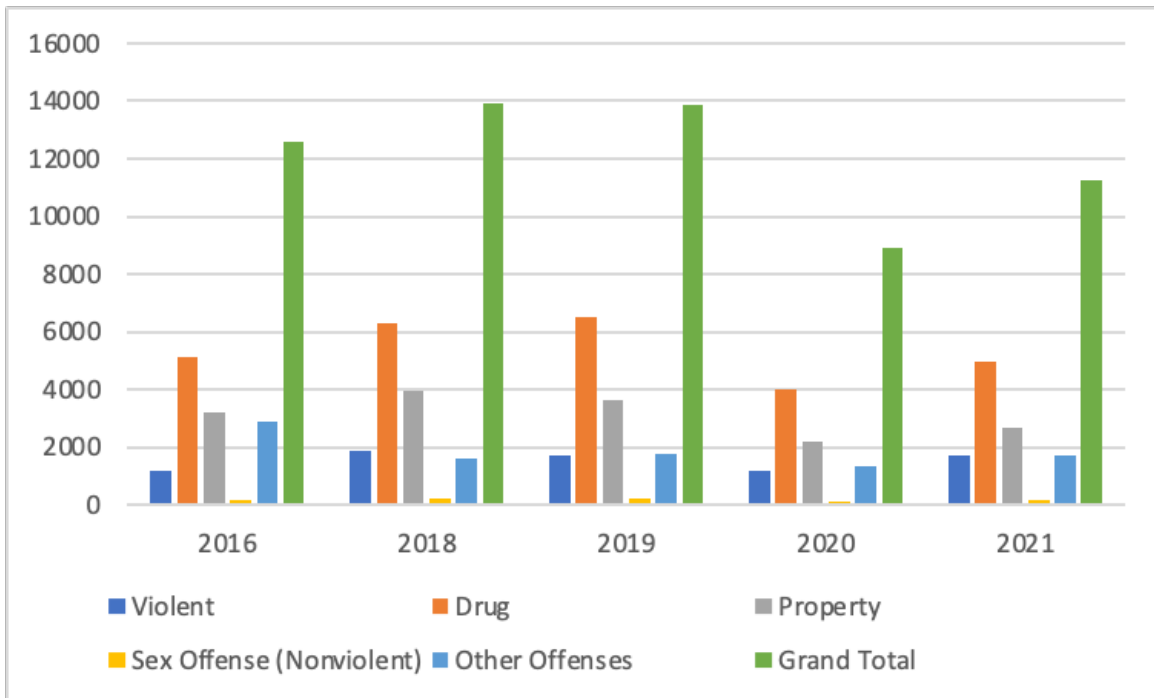
### **Probation and Parole Completions**

Over the past five years, those on community supervision have unsuccessfully completed their period of supervision with at a 12.9% recidivism rate, and a notably lower rate of 3.2% after the first year ([Louisiana Department of Public Safety and Corrections, 2023, p. 41](#)).

### **Revocations in 2021**

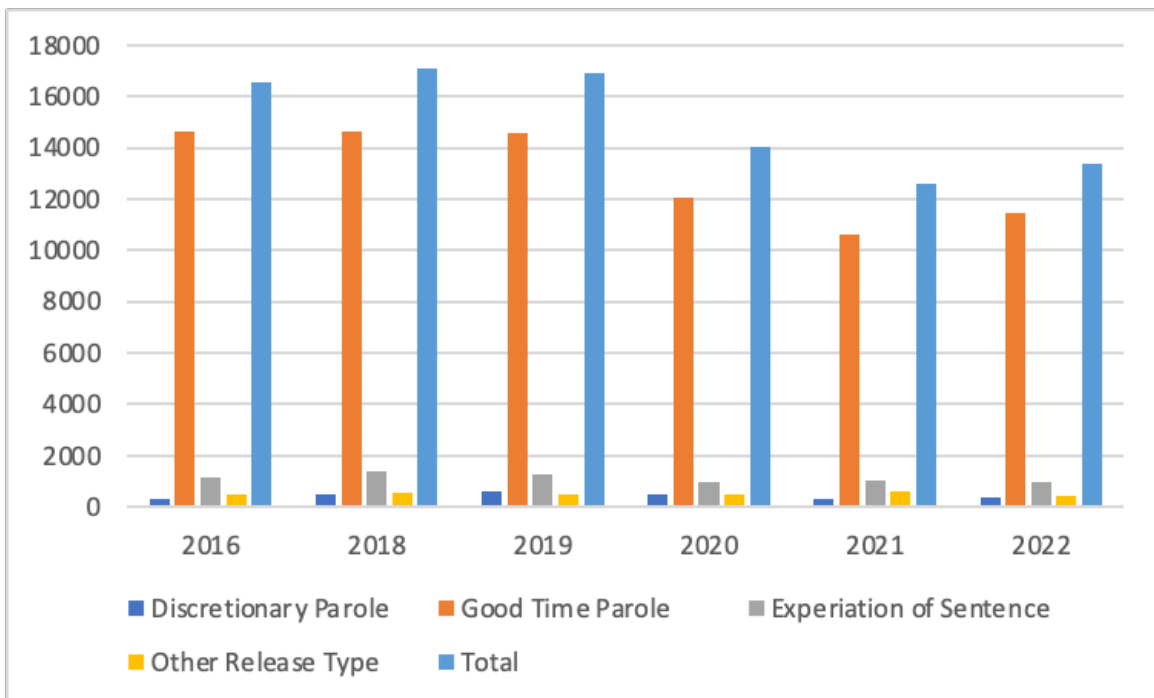
In 2021, there were 5,788 PNP revocations, with GTPS parolees contributing over half at 3,319 revocations. Regular parole revocations numbered 85, and the remaining 2,341 resulted from probation revocations. In 2021, there were 12,196 prison admissions with 6,408 for new felony convictions (individuals who were not on community supervision), and PNP revocations accounted for 5,788, or 47%, (1,449 – new criminal activity; 1,971 – technical violations) of new prison admissions ([Louisiana Department of Public Safety and Corrections, 2022, pp. 15, 22](#)).

**Figure 11**  
*Probation Intakes by Offense Type*



Note. Data from *Louisiana’s Justice Reinvestment Reforms, 2022 Annual Performance Report*, Louisiana Department of Public Safety and Corrections, 2022, p. 16 (<https://doc.louisiana.gov/wp-content/uploads/2022/10/2022-JRI-ANNUAL-Report-FinalREVISED102022.pdf>).

**Figure 12**  
*Parole Cases*



Note. Data from *Louisiana’s Justice Reinvestment Reforms, 2022 Annual Performance Report*, Louisiana Department of Public Safety and Corrections, 2022, p. 16 (<https://doc.louisiana.gov/wp-content/uploads/2022/10/2022-JRI-ANNUAL-Report-FinalREVISED102022.pdf>) and *Briefing Book July 2023 Update*, Louisiana Department of Public Safety and Corrections, 2023, p. 49 (<https://doc.louisiana.gov/wp-content/uploads/2023/10/0m-Full-Briefing-Book-July-2023-Website.pdf>).

## Recommendations

### **Recommendation 1**

A thorough review of the PNP budget by LDOC is recommended to identify opportunities for increased efficiency and to maintain the effectiveness and impact of community supervision. Community supervision is designed to be a cost-effective alternative to incarceration that allows for community integration and the implementation of services and reentry assistance. The 2023 budget for PNP is approximately 14% of the overall LDOC budget. Since 2017, the PNP budget has increased by 46% while the number of individuals on supervision has declined by 38%. While it is critical to adequately fund PNP, it is paramount to make the best use of the resources available to ensure staff retention, to administer training in best-practices and evidence-based supervision techniques, and to equip officers with the tools needed to ensure their safety and the safety of the communities they serve.

### **Recommendation 2**

Current LDOC policies concerning earned compliance credits should be reviewed and updated. PNP has implemented many nationally recognized best-practices for community supervision to include the use of earned compliance credits and graduated, administrative sanctions. Current policy provides that ECCs are applied at intake and are rescinded based on violations committed. In addition to rescinding credits for violations, ECCs should be used as incentives to encourage individuals to secure gainful employment, pay victim restitution, and complete substance abuse programs and programs like GED. Cases should be moved to inactive status--not closed as is current practice--as recommended in the model legislation provided by ALEC (2017).

### **Recommendation 3**

The high number of revocations in 2021 (particularly among GTPS parolees) raises concerns about the factors contributing to revocations and about the efficacy of the supervision process. As an alternative to incarceration, community supervision revocations account for nearly half of prison admissions to LDOC. Understanding the circumstances leading to revocations is essential for refining community supervision strategies and addressing underlying issues that may hinder successful reentry. To ensure consistency across the state and to assess the effectiveness of the violation and revocation process, PNP should report quarterly revocation data by district office and officer, along with data about supervision type, instant offense, services offered, use of administrative sanctions and availability of community resources for each revocation.

### **Recommendation 4**

The Pew Charitable Trusts in their 2022 report, [\*Comprehensive Polices Can Improve Probation and Parole\*](#), recommends “adopting shorter supervision sentences and to focus on goals and incentives.” Parolees normally have 13 standard conditions. At the discretion of the parole board, up to 17 special conditions may be ordered. Probationers normally have 15 standard conditions, but the court has the discretion to add special conditions at the time of sentencing. We recommend that the conditions of both probation and parole be reviewed so that conditions can be reduced to only include those directly related to public safety. Special conditions should be tailored to individuals on supervision. Such conditions should be based on the individuals’ needs and include an individualized case plan. Completion of the conditions in the case plan should be used in conjunction with ECC to further incentivize successful completion of programming and supervision.

### **Recommendation 5**

LDOC’s partnerships with non-profit organizations should be expanded and funded. Non-profit organizations often specialize in addressing specific needs, such as mental health, substance abuse treatment, job placement, and education. Partnering with these organizations would allow PNP to tap into the non-profits’ specialized knowledge and resources, enhancing the overall support provided to individuals on supervision. Through collaboration with these organizations, PNP can expand its access to new and effective strategies for rehabilitation, education, and workforce development, thus further benefiting those on probation and parole, and therefore providing more time and resources for officers to focus on those who pose a greater risk to public safety.

## Conclusion

Evaluating Louisiana’s probation and parole rules and entry points reveals a complex and dynamic system with far-reaching implications for both individuals on supervision and for the broader community. A thorough exploration of the entry points into community supervision affirms that the success of these programs is contingent upon a multifaceted approach.

The challenges and opportunities presented by community supervision underscore the need for a comprehensive understanding of the underlying factors that contribute to successful reentry. Addressing issues such as access to community resources, rehabilitation programs, partnerships with non-government organizations, and mental health



services is crucial in fostering positive outcomes for those on supervision.

As Louisiana continues to grapple with issues related to recidivism and the successful reintegration of individuals into society, it is imperative for policymakers, criminal justice professionals, and community stakeholders to work together on proven strategies. By investing in evidence-based practices, rehabilitation initiatives, and community engagement, Louisiana has the potential to transform its community supervision system into a model that prioritizes not only public safety but also the well-being and rehabilitation of those navigating the challenging path of reentry.

Community supervision serves as a critical juncture in the criminal justice system, offering an opportunity for individuals to rebuild their lives and contribute positively to society. By acknowledging the complexities inherent in this system and subsequently actively working towards improvement, Louisiana can pave the way for an effective approach to community supervision that aligns with the overarching goals of justice: protecting the public, restoring victims, and reforming those on supervision. ★

## Appendix A

### [CCRP Art. 895](#) Conditions of probation

A. When the court places a defendant on probation, it shall require the defendant to refrain from criminal conduct and to pay a supervision fee to defray the costs of probation supervision, and it may impose any specific conditions reasonably related to his rehabilitation, including any of the following. That the defendant shall:

- (1) Make a full and truthful report at the end of each month;
- (2) Meet his specified family responsibilities, including any obligations imposed in a court order of child support;
- (3) Report to the probation officer as directed;
- (4) Permit the probation officer to visit him at his home or elsewhere;
- (5) Devote himself to an approved employment or occupation;
- (6) Refrain from owning or possessing firearms or other dangerous weapons;
- (7) Make reasonable reparation or restitution to the aggrieved party for damage or loss caused by his offense in an amount to be determined by the court;
- (8) Refrain from frequenting unlawful or disreputable places or consorting with disreputable persons;
- (9) Remain within the jurisdiction of the court and get the permission of the probation officer before making any change in his address or his employment; and
- (10) Devote himself to an approved reading program at his cost if he is unable to read the English language.
- (11) Perform community service work.
- (12) Submit himself to available medical, psychiatric, mental health, or substance abuse examination or treatment or both when deemed appropriate and ordered to do so by the probation and parole officer.
- (13)(a) Agree to searches of his person, his property, his place of residence, his vehicle, or his personal effects, or any or all of them, at any time, by the probation or parole officer assigned to him or by any probation or parole officer who is subsequently assigned or directed by the Department of Public Safety and Corrections to supervise the person, whether the assignment or directive is temporary or permanent, with or without a warrant of arrest or with or without a search warrant, when the probation officer or the parole officer has reasonable suspicion to believe that the person who is on probation is engaged in or has been engaged in criminal activity.
- (b) For those persons who have been convicted of a “sex offense” as defined in R.S. 15:541, agree to searches of his person, his property, his place of residence, his vehicle, or his personal effects, or any or all of them, at any time, by a law enforcement officer, duly commissioned in the parish or municipality where the sex offender resides or is domiciled, designated by his agency to supervise sex offenders, with or without a warrant of arrest or with or without a search warrant, when the officer has reasonable suspicion to believe that the person who is on probation is engaged in or has been engaged in criminal activity for which the person has not been charged or arrested while on probation.

## Appendix B

### [RS 15:574.4.2](#) - Conditions of parole

A.(1) The committee on parole may make rules for the conduct of persons heretofore or hereafter granted parole. When a prisoner is released on parole, the committee shall require as a condition of his parole that he refrain from engaging in criminal conduct.

(2) The committee may also require, either at the time of his release on parole or at any time while he remains on parole, that he conform to any of the following conditions of parole which are deemed appropriate to the circumstances of the particular case:

(a) Report, no later than forty-eight hours after being placed on parole, to the division of probation and parole office of the Department of Public Safety and Corrections which is listed on the certificate of parole.

(b) Reside at the address listed on the certificate of parole. Obtain written permission from the probation and parole officer prior to moving from this address or written permission prior to leaving the state of Louisiana.

(c) Submit a monthly report by the fifth day of every month until supervision is completed and report when ordered to do so by the probation and parole officer.

(d) Not engage in any criminal activity, nor associate with people who are known to be involved in criminal activity. Avoid bars and casinos and refrain from the use of illegal drugs or alcohol.

(e) Pay supervision fees to the Department of Public Safety and Corrections in an amount not to exceed sixty-three dollars based upon his ability to pay as determined by the committee on parole. A parolee placed on inactive status, as provided for in R.S. 15:574.7(E)(2), shall only be required to pay a supervision fee in an amount not to exceed one dollar. Supervision fee payments are due on the first day of each month and may be used to defray the cost of supervision which includes salaries for probation and parole officers.

(f) Be employed at a lawful occupation. Employment shall be approved by the probation and parole officer. If employment is terminated, immediately report this to the probation and parole officer.

(g) Truthfully and promptly answer all questions as directed by the probation and parole officer.

(h) Submit to available medical, mental health or substance abuse exams, treatment, or both when ordered to do so by the probation and parole officer. Submit to drug and alcohol screens at personal expense.

(i) Agree to visits at residence or place of employment by the probation and parole officer at any time. Further agrees to searches of person, property, residence, or vehicle, when reasonable suspicion exists that criminal activity has been engaged in while on parole.

(j) Not possess or be in control of any firearms or dangerous weapons.

(k) Waive extradition to the state of Louisiana from any jurisdiction in or outside of the United States and agree not to contest any effort by any jurisdiction for return to the state of Louisiana.

### Appendix C

#### Sentencing minutes for a felony conviction obtained from the 27th JDC (Opelousas, LA) Redacted – Page 1

Monday, August 31, 2020

Court met pursuant to adjournment, present, His Honor, A. Gerard Caswell, Judge presiding: Annetta Lee, Court Reporter; Karen Castille, Minute Clerk of Court; Robin Cox, Bailiff; and Kathleen Ryan, Alisa Gothreaux, and Shaunn Caillier-Harden Assistant District Attorney's; all being in attendance.

192208                    STATE OF LOUISIANA  
190593                    VS  
                                 [REDACTED]

                                 [REDACTED]

Defendant present in court with his, attorney, Mr. Irvin Celestine, who informed the Court that the defendant wished to withdraw his former plea of not guilty and enter a plea of guilty to:

Possession of Marijuana with the Intent to Distribute (DKT# 19-K-2208-B)  
Possession of Marijuana with the Intent to Distribute (DKT# 19-K-0593-B)

The State was present and represented by Ms. Alisa Gothreaux, Assistant District Attorney.

Prior to permitting the said not guilty plea to be withdrawn and the guilty plea entered, the Court interrogated the defendant at length and after having satisfied itself that the defendant knows and understands all of his rights and knows that he is making an intelligent waiver of his constitutional rights and can enter a plea of guilty in this case and that the Court is satisfied that there is a sufficient factual basis in the record to accept the guilty plea and that the defendant was ably and capably represented by counsel, the Court will now accept the guilty plea to:

Possession of Marijuana with the Intent to Distribute (DKT# 19-K-2208-B)  
Possession of Marijuana with the Intent to Distribute (DKT# 19-K-0593-B)

The defendant waived delays to sentencing.

The Court will sentence the defendant under the goals of deterrence, rehabilitation, and protection of the public. The Court also takes into consideration the guidelines of the Code of Criminal Procedure. The Court also takes into consideration the defendants status in this matter as a first offender. In connection with this matter and by the recommendations of the District Attorneys Office, the Court is going to order that the defendant serve, **on each count**, three (3) years at hard labor suspended and is placed on Active Supervised Probation for three (3) years. The defendant is given credit for time served. Said sentences are to run **consecutive** with one another, however the probation is to run **concurrent** with one another, with the exception of the fines.

Probation to be served under the general conditions of the Code of Criminal Procedure. Special conditions of probation: pay a supervision fee of \$60.00 per month to the Department of Public Safety and Corrections, pay a fine of \$150.00 plus court costs **pay two (2) fines but only one court costs**, pay the Indigent Defender Board the sum of \$150.00 within the first six (6) months of probation or in lieu of payment perform forty (40) hours community service, pay \$11.00 per month to the Sex Tech Fund, and pay \$75.00 to the Commission on Law Enforcement. The defendant has twenty-four (24) hours from this date to report to the Office of Probation and Parole at 318 Nita Drive,

## Appendix C

Sentencing minutes for a felony conviction obtained from the 27th JDC (Opelousas, LA)  
Redacted - Page 2

Ville Platte, Louisiana and make full and truthful reports to the probation officer as often as the probation officer directs. Defendant is ordered to allow the probation officer to visit his place of residence and follow any and all reasonable requests of the probation officer.

The State dismissed the charge of Resisting by Flight (DKT# 19-K-2208-B)

The Court found that this is not a crime of violence and has not been enhanced. The defendant has two (2) years from the effective date of this sentence to seek a review by a higher court. Any diminution of sentence is a function of the Department of Corrections and not this Court. Defendants Written Plea of Guilty and Waiver of Rights filed and marked as Court Exhibit 1. The Conditions of Probation filed and marked as Court Exhibit 2 with the defendant receiving a copy in open court. The defendant has been given his Post Conviction relief rights and is filed and marked as Court Exhibit 3.

It is ordered by the Court that no person who has been sentenced to a supervised suspended sentence after conviction for a felony or misdemeanor shall work as an informant for any police agency or the Sheriff's Office without the express consent of the sentencing judge. All police agencies and the Sheriff's Office are hereby instructed to comply with this order and shall henceforth cease using probationers as paid or unpaid informants, or to purchase narcotics or other controlled substances.

Court then adjourned without date.

APPROVED:

/S/ A GERARD CASWELL  
JUDGE

A TRUE AND CORRECT EXTRACT OF THE MINUTES

\_\_\_\_\_  
DEPUTY CLERK

# Appendix D

Parole Certificate – Page 1

STATE OF LOUISIANA  
DEPARTMENT OF PUBLIC SAFETY & CORRECTIONS  
BATON ROUGE, LOUISIANA  
DIMINUTION OF SENTENCE

Know All Men By These Presents: That [REDACTED] DOC NO [REDACTED] an offender in the [REDACTED] is eligible to be released by diminution of sentence in accordance with [REDACTED] and it is ordered that the offender shall be released in the same manner as if on parole on [REDACTED].

Docket Number(s): [REDACTED]

and that said offender remain within the limits of [REDACTED] Probation and Parole Office until [REDACTED]; or until other action may be taken by the Committee on Parole. Said offender shall report to:

Probation and Parole Office - Address

Residence - Address

[REDACTED]

[REDACTED]

Be It Also Known, that this release is upon the condition that the said offender has agreed to observe and perform each and all of the conditions and directives shown below and on the back of this certificate, all of which are hereby made and agreed to be conditions precedent to his/her release:

- A. AA/NA meetings \_\_\_\_\_ per week
- B. Mental health evaluation and treatment
- C. Substance abuse evaluation and treatment
- D. Pay restitution, Victim reparation
- E. Pay fines and/or costs of court
- F. No contact with victim(s) or victim family
- G. No contact with codefendant(s)
- H. GED, Vo-Tech, or other education plan
- I. Comply with treatment plans recommended
- J. Curfew 10 pm to 6 am
- K. Electronic Monitoring
- L. Comply with Conditions of R.S. 15:574.4.2

\*\*\*\*\*  
 Additional requirements applicable to sex offenders:  
 M. No Contact with minor children  
 N. Comply with conditions of R.S. 15:542, et seq  
 O. Comply with conditions of R.S. 15:538, et seq  
 P. Comply with conditions of R.S. 15:574.4.3  
 \*\*\*\*\*

Q. Other: \_\_\_\_\_

BRING THIS CERTIFICATE ON INITIAL VISIT TO PROBATION AND PAROLE OFFICE

The above named subject was released on

[REDACTED]

WARDEN

ORIGINAL-HDQ

[REDACTED]

# Appendix D

Parole Certificate – Page 2

## STATEMENT OF GENERAL CONDITIONS UNDER WHICH DIMINUTION OF SENTENCE/PAROLE SUPERVISION IS GRANTED

This Certificate of Parole shall not become operative until the following conditions are agreed to by the offender.

1. Upon release I will report no later than 48 hours to the Probation and Parole Office, Department of Public Safety & Corrections, which is listed on this Certificate.
2. I will submit a monthly report by the fifth (5th) of every month until I complete my supervision. I will report to my Parole Officer when ordered to do so.
3. I will live at the address on this Certificate. If I must move from this address, I will get permission from my Parole Officer before doing so. In addition, I will not leave the State of Louisiana without written permission from my Parole Officer.
4. I will not engage in criminal activity, nor will I associate with people who are known to be involved in criminal activity. I will avoid bars and casinos. I will refrain from the illegal use of drugs or alcohol.
5. I shall not have in my possession or control any firearms or dangerous weapons.
6. I will work at a job approved by my Parole Officer; if I become unemployed, I will immediately report this to my Parole Officer.
7. I will truthfully answer all questions directed to me by my Parole Officer.
8. I will submit myself to available medical, mental health or substance abuse exams, treatment or both, when ordered to do so by my Parole Officer. Also, I will submit to drug and alcohol screens at my own expense.
9. I agree to visits at my residence or place of employment by my Parole Officer at any time. I also agree to searches of my person, property, residence, and/or vehicle, when reasonable suspicion exists that I am or have been engaged in criminal activity.
10. I will pay supervision fees in an amount set by the Louisiana Department of Public Safety & Corrections pursuant to Louisiana Revised Statutes. Payments are due on the first day of each month.
11. I do hereby waive extradition to the State of Louisiana from any jurisdiction in or outside of the United States where I may be found and also agree that I will not contest any effort by any jurisdiction to return me to the State of Louisiana.
12. I understand that should my parole be revoked for any reason, I will forfeit all good time earned and /or any additional credits earned or that could have been earned on that portion of my sentence served prior to the granting of parole. I am to serve the remainder of my sentence as of the date of my release on parole.

I understand that if I am arrested while on parole, the Committee on Parole has the authority to place a detainer against me which will in effect prevent me from making bail pending disposition of any new charges. I understand all of the above conditions which have been read to me and I do solemnly promise and agree to conform to the above conditions. I understand that the Committee on Parole has authorized the imposition of Administrative Sanctions in accordance with La. R.S. 15:574.7. Additionally, I understand that under R.S. 15:754.4.2 the Committee on Parole may also require, either at the time of my release on parole or at any time while I remain under parole, that I conform to any of the conditions of parole which are appropriate to the circumstances of my particular case.

DATED: \_\_\_\_\_

WITNESSED: \_\_\_\_\_

Offender Signature \_\_\_\_\_

Offender DOC No. \_\_\_\_\_

## Appendix E

### Additional Parole Requirements for Life Sentences (a) – (d)

#### [LA RS 15:574.4 B](#)

- (ii) The person 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.
- (iii) The person has not committed any major disciplinary offenses in the twelve consecutive months prior to the parole hearing date. A major disciplinary offense is an offense identified as a Schedule B offense by the Department of Public Safety and Corrections in the Disciplinary Rules and Procedures for Adult Offenders.
- (iv) The person has completed the mandatory minimum of one hundred hours of pre-release programming in accordance with the provisions of R.S. 15:827.1, if such programming is available at the facility where the offender is incarcerated.
- (v) The person has completed substance abuse treatment, if applicable and such treatment is available at the facility where the offender is incarcerated.
- (vi) The person has obtained or completed at least one of the following:
  - (aa) A literacy program.
  - (bb) An adult basic education program.
  - (cc) A job skills training program.
  - (dd) A high school equivalency certificate.



## Appendix F

### Additional Parole Requirements for Sections D-G

#### [LA RS 15:574.4 D-G](#)

The offender has served twenty-five years of the sentence imposed.

The offender has not committed any major disciplinary offenses in the twelve consecutive months prior to the parole hearing date. A major disciplinary offense is an offense identified as a Schedule B offense by the Department of Public Safety and Corrections in the Disciplinary Rules and Procedures for Adult Offenders.

The offender has completed the mandatory minimum of one hundred hours of prerelease programming in accordance with R.S. 15:827.1.

The offender has completed substance abuse treatment as applicable.

The offender has obtained or completed at least one of the following:

A literacy program.

An adult basic education program.

A job skills training program.

A high school equivalency certificate.

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.

The offender has completed a reentry program to be determined by the Department of Public Safety and Corrections.

(ONLY APPLIES TO Section D). If the offender was convicted of aggravated or first degree rape, he shall be designated a sex offender and upon release shall comply with all sex offender registration and notification provisions as required by law.

For each offender eligible for parole consideration pursuant to the provisions of this Subsection, the committee on parole shall meet in a three-member panel, and each member of the panel shall be provided with and shall consider a written evaluation of the offender by a person who has expertise in adolescent brain development and behavior and any other relevant evidence pertaining to the offender.

The panel shall render specific findings of fact in support of its decision.

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## About the Author



**Scott E. Peyton** is the Louisiana and Mississippi state director for Right on Crime. He has over 12 years of work experience with the State of Louisiana: first as a child welfare specialist, then as a juvenile probation and parole officer. Prior to joining Right on Crime, he worked in adult probation and parole as a specialist supervising violent offender caseloads. Peyton has spent time as both a volunteer and reserve deputy sheriff, as well as providing as-needed support to Elayn Hunt Correctional Center working as a correctional officer. As a former instructor with Peace Officer Standards and Training certification, he taught at the Probation and Parole Police Academy. Peyton has witnessed firsthand the need for criminal justice reform, the impacts of rehabilitation and re-entry programs, and the inner workings of the Louisiana Probation and Parole system.

Peyton graduated from Louisiana State University at Shreveport with a Master's in nonprofit administration and from the University of Southwestern Louisiana with a BS in criminal justice. He is a Distinguished Fellow of the Nancy M. Marsiglia Institute of Justice. Peyton served in the Louisiana National Guard before being honorably discharged. He resides in Louisiana with his wife and six children.

## About Right On Crime

Right On Crime is a national initiative of the Texas Public Policy Foundation supporting conservative solutions for reducing crime, restoring victims, reforming offenders, and lowering taxpayer costs.

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