

## Louisiana

The Louisiana Committee on Parole is comprised of seven members appointed by the governor and confirmed by the state senate; five full members that serve both on the Board of Parole and the Board of Pardons and two at-large members that only serve on the Board of Parole. In order to serve on the Board of Parole, appointees must have five years of experience in corrections, law enforcement, sociology, law, education, social work, or criminology. Current members come from varied backgrounds: Department of Public Safety and Corrections, medicine, juvenile corrections, law, victims' advocacy, law enforcement, and probation and parole enforcement.

Louisiana has some of the strictest sentencing requirements in the country. Individuals convicted of first- and second-degree murder are mandatorily sentenced to life without parole; Louisiana is one of only two states to require LWOP for second-degree murder. There are over 4,900 individuals serving LWOP sentences in Louisiana--more than Alabama, Arkansas, Mississippi, Tennessee, and Texas combined (Johnson). Clemency is the only avenue of release for thousands of individuals in Louisiana, and it's an unreliable path at that.

An individual serving a life sentence may apply for clemency after they have completed 15 years of their sentence (though there is an exception for cases in which there is sufficient evidence to find the individual "not guilty"). The Board of Pardons, a five-member subsection of the Committee on Parole, oversees all clemency applications, which they review on the first Tuesday of each month. An application consists of basic biographic and identifying information, in addition to the reason for requesting clemency, a narrative detailing the events surrounding the offense, disciplinary reports, and the complete prison record. Additional documents may only be submitted if an individual is granted a hearing. Actions, including the granting of a hearing, require four members on the board to vote in support of the action. The board has full discretion to deny requests for a clemency hearing for any reason. If the individual is granted a public hearing, then the individual is responsible for publishing an advertisement of the hearing in the "official journal of the parish where the offense occurred" within 90 days of notification of hearing. This advertisement must state the individual's name, prison number, conviction, date of offense, location of offense, and solicit any individuals wishing to speak with the Board of Pardons about the offense to contact them at the provided phone number. At this stage, the applicant is able to submit additional materials, such as letters of recommendation in support of their file, to the board. The board will also give written notice to the relevant district attorney and the victim and/or the victim's next of kin, in order for these parties to have an opportunity to attend the hearing or submit comments. The board reserves the right to cancel the hearing while in process if the applicant becomes "disorderly, threatening or insolent." After the hearing, the board may deny the applicants request or make a favorable recommendation. If a favorable recommendation is conferred, then the governor retains full discretion over whether to grant or deny clemency or to take no action with regard to the application.

Under former Governor Bobby Jindal, over 700 commutation applications were referred to the governor but went unanswered. As such, current Governor John Bel Edwards moved to

expedite the process for as many individuals as possible. In his first year in office (2017), he commuted 22 sentences; the most any previous, recent governor commuted in their first year was one. Governor Bel Edwards also created a special provision that allowed individuals whose applications were recommended for clemency but went unanswered by Jindal to reapply immediately to be fast-tracked for consideration, bypassing the statutorily established five-year waiting period.

### **Sources**

“About the Board.” *Louisiana Department of Corrections*, nd, [doc.louisiana.gov/about-the-board/](http://doc.louisiana.gov/about-the-board/).

Johnson, Elizabeth. “Life in Louisiana.” *Southern Poverty Law Center*, 5 Mar. 2018. [splcenter.org/news/2018/03/05/life-louisiana-people-aging-prison-seek-second-chance](http://splcenter.org/news/2018/03/05/life-louisiana-people-aging-prison-seek-second-chance).

“Louisiana.” *Criminal Justice Policy Foundation*, 23 June 2014, [cjpf.org/clemency-la](http://cjpf.org/clemency-la).

O’Donoghue, Julia. “John Bel Edwards reduces 22 prisoners' terms -- and gets Angola inmates' attention.” *The Times-Picayune*, 9 Mar. 2017, [nola.com/politics/2019/06/health-care-bill-boxed-in-john-bel-edwards.html](http://nola.com/politics/2019/06/health-care-bill-boxed-in-john-bel-edwards.html).