

## Where does the Division of Probation and Parole (P&P) fit in?

Officers of the Division's 21 district offices supervise offenders released on parole and diminution of sentence and those placed on felony probation. Officers supervise payment of restitution and prepare reports for the Courts and the Parole and Pardon Boards. Those reports include victims' attitudes about the possibility of release and information about their financial losses resulting from the crime. Officers notify victims about up-coming parole hearings.

Officers have the authority to arrest probationers and parolees with or without a warrant. They can recommend revocation (return to prison).

- Offenders released from incarceration to supervision have 48 hours to report to a P&P district office.
- Persons on supervision must have permission to leave the boundaries of the supervising district.

One way for victims to ensure that Probation and Parole officers can contact them about hearings and other important matters is to register and maintain a current mailing address and telephone number with the Crime Victims Services Bureau.

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# Crime Victims Services Bureau

## Crime Victims Seeking Balance



### Office of the Secretary

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of Public Safety  
& Corrections

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**Bobby Jindal, Governor**  
State of Louisiana

The Crime Victims Services Bureau of the Department of Public Safety and Corrections encourages crime victims and others directly affected by a crime to register for notice about the offender who harmed them.

### How do I register?

Persons wishing to register for notification may contact the Crime Victims Services Bureau toll free at 888-342-6110 or their District Attorney's office or download a registration form at [www.doc.louisiana.gov](http://www.doc.louisiana.gov). Registering with the Louisiana Automated Victim Notification System (LAVNS) is NOT sufficient to ensure notice from the Department.

### What will I be notified about?

If a criminal offender is sentenced "at hard labor," he or she is under the Department's authority, and the Department will notify the registered person in writing about the following:

- Initial housing location and projected release dates
- Furlough
- Release from incarceration by any means, including death
- Sentence change due to court action
- Assignment to work transition program
- Escape from institutional custody and apprehension
- Risk Review consideration

The Department works with the Board of Parole and the Board of Pardons to provide registered victims notice of parole and pardon hearings.

The Crime Victims Services Bureau can also provide information about Victim-Offender Dialogue, the Department's policies and practices, an accountability letter pilot now underway, and other agencies and organizations that assist crime victims.

### What will I NOT be notified about?

- Transfer between institutions
- Return to prison for violation of release conditions
- Information about pending appeals
- Change in diminution of sentence date

Most offenders are released by parole or diminution of sentence and continue to serve their sentences under supervision until their "full term date," the date on which the full term imposed by the court is served.

### What is Parole?

Parole is release from prison by action of the Parole Board. Offenders cannot be released on parole without a parole hearing.

Law and policy require that notice be mailed to victims and certain other persons at least 30 days before a hearing date.

Parole Hearings are usually held about a month before an inmate's parole eligibility date.

### What is Diminution of Sentence?

Diminution of sentence release is release from prison based on laws that allow offenders to earn credit for positive actions while in prison. The more familiar term is "good time."

There is no hearing for diminution of sentence release.

Parole and diminution of sentence are conditional releases. Before being released, offenders must agree to follow a list of conditions. Failure to follow those conditions will result in sanctions, including possible return to prison.

Offenders can also be released by court order or at full term or on good time without supervision.

Almost every year new laws affecting release options are passed. Some of the laws that apply most broadly are outlined below.

- Offenders sentenced to life in prison cannot be paroled or released on good time unless their sentences are commuted. (See section re: Board of Pardons—next page.)
- Offenders sentenced to any number of years for a "crime of violence" (COV) committed on or after January 1, 1997, must serve proportionally more of their time in institutional custody before being released to supervision. If they are eligible to earn "good time," successful participation in approved rehabilitation/treatment programs can reduce custody time by an additional 9 months.
- Armed robbers generally cannot be paroled; they can, however, earn diminution of sentence.
- Many sex offenders cannot earn diminution of sentence but have the possibility of parole.
- If COV provisions do not apply and offenders are otherwise parole-eligible, offender class determines the length of time served prior to parole: 1) First offenders after one third of the sentence imposed by the court 2) Second offenders after one half of the sentence 3) Third offenders or greater—generally ineligible for parole
- Offenders sentenced to 30 years or more who serve 20 years in actual custody and reach age 45 are eligible for parole. If the offender is not under sentence of life or death or governed by COV law, this provision can create parole eligibility for offenders classified as third or greater offenders and/or sentenced to hundreds of years.

La. RS. 14:2(B) lists the following as crimes of violence:

|                                                        |                                                       |
|--------------------------------------------------------|-------------------------------------------------------|
| Aggravated arson                                       | Forcible rape                                         |
| Aggravated assault                                     | Home invasion                                         |
| Aggravated assault upon a peace officer with a firearm | Human trafficking                                     |
| Aggravated assault with a firearm                      | Illegal use of weapons or dangerous instrumentalities |
| Aggravated battery                                     | Intentional exposure to AIDS virus                    |
| Aggravated burglary                                    | Manslaughter                                          |
| Aggravated crime against nature                        | Mingling harmful substances                           |
| Aggravated criminal damage to property                 | Purse snatching                                       |
| Aggravated flight from an officer                      | Second degree battery                                 |
| Aggravated incest                                      | Second degree cruelty to juveniles                    |
| Aggravated kidnapping                                  | Second degree kidnapping                              |
| Aggravated rape                                        | Second degree murder                                  |
| Aggravated second degree battery                       | Second degree robbery                                 |
| Armed robbery                                          | Second degree sexual battery                          |
| Armed robbery; use of firearm: additional penalty      | Sexual battery                                        |
| Assault by drive-by shooting                           | Simple kidnapping                                     |
| Battery of a police officer                            | Simple rape                                           |
| Carjacking                                             | Simple robbery                                        |
| Disarming of a peace officer                           | Solicitation for murder                               |
| Extortion                                              | Stalking                                              |
| First degree murder                                    | Terrorism                                             |
| First degree robbery                                   | Trafficking of children for sexual purposes           |

The **attempt** to commit one of these crimes qualifies as a crime of violence. Law allows a court to designate other crimes of violence.

### Can the Board of Pardons influence an offender's release?

The Board of Pardons handles offender requests for clemency—that is, for pardon, commutation, and restoration of rights lost as a result of a criminal conviction. The board holds public hearings to consider offender requests for clemency.

The State's Constitution creates access to the Board of Pardons. A court cannot make an offender ineligible for consideration. State statutes do impose restrictions on how soon after sentencing offenders with life sentences may apply for commutation.

Law requires that notice to victims and other persons and agencies be mailed 30 days before an offender's hearing.

Clemency requests approved by the board are sent to the Governor, who makes the final decision to grant or deny the board's recommendations.

### Tell me about commutation and life sentences.

Commutation is the only non-judicial means by which a life sentence can be changed to a specified number of years. Only then is it possible for a "lifer" to be released on parole or diminution of sentence.

After regular business hours, callers can leave a message on the **toll free CVSB telephone line** (888) 342-6110

Someone will return the call on the next business day.