

Louisiana provides compassionate release to eligible incarcerated individuals with serious medical conditions and terminal illnesses through (1) **Medical Parole**,¹ (2) **Medical Treatment Furlough**,² and (3) **Compassionate Release**.³ Louisiana also provides compassionate release to eligible older individuals through **Parole Based on Advanced Age**, a provision in the general parole rules.⁴

MEDICAL PAROLE

I. ELIGIBILITY

Medical Condition - To be eligible for Medical Parole, an incarcerated individual must be permanently disabled or terminally ill.⁵

- “Permanently disabled” is defined as being unable to engage in any “substantial gainful activity” because of a physical impairment expected to be “permanently irreversible” or result in death.⁶
- “Terminally ill” is defined as having a diagnosed terminal illness with a life expectancy of less than one year.⁷

Note that Louisiana Department of Public Safety and Corrections (Department) policy states that generally an individual will not be considered for Medical Parole if the medical condition was present at the time of sentencing unless the condition has significantly deteriorated since that time.⁸ However, that restriction is not referenced in the statute or administrative code.

Exclusions - Medical Parole is not available for an incarcerated individual serving a sentence for first- or second-degree murder or to those with a death sentence.⁹

II. APPLICATION OR REFERRAL

The Department is responsible for identifying incarcerated individuals who may be eligible for Medical Parole and referring them to the Louisiana Committee on Parole (Committee).¹⁰

Any treating health care practitioner with knowledge of an individual’s terminal illness or permanent disability can initiate the Medical Parole process by completing a *Medical Criteria Screening Form* and submitting it to the Unit Medical Director for consideration.¹¹ Other facility and Department staff with knowledge of an individual’s medical condition, including wardens and Headquarters’ medical staff, may also ask the Unit Medical Director to review an individual for Medical Parole.¹²

The Unit Health Authority (or a designee) must identify all incarcerated individuals who meet the medical criteria for Medical Parole and submit a quarterly report to the Chief Nursing Officer (CNO) identifying those individuals.¹³

There is no Department information indicating that an incarcerated individual or family member can file an application to start the Medical Parole process.

III. DOCUMENTATION AND ASSESSMENT

The Warden at each institution appoints a multidisciplinary team to evaluate all Medical Parole requests.¹⁴

Medical Criteria Screening – The Unit Medical Director evaluates each *Medical Criteria Screening Form* they receive and decides whether the individual meets the medical eligibility criteria for Medical Parole based only on the incarcerated individual’s medical information.¹⁵

- If the individual meets the medical criteria, the Unit Medical Director recommends the individual be considered for Medical Parole, completes the appropriate section of the *Recommendation for Medical Parole or Medical Treatment Furlough* form, and submits it to the Unit Warden for review.¹⁶
- If the Unit Medical Director declines to recommend the incarcerated individual for Medical Parole, a “notification of declination” is sent to the Unit Warden and the CNO, and the *Medical Criteria Screening Form* is filed in the individual’s medical record.¹⁷

Risk Assessment and Suitability for Medical Parole – The Unit Warden is responsible for evaluating every Medical Parole recommendation and ensuring team members provide relevant information on an individual’s suitability for Medical Parole.¹⁸ The Unit Warden completes the appropriate section on the *Recommendation for Medical Parole or Medical Treatment Furlough* form, including information on the individual’s crime, criminal history, length of time served, institutional conduct, and an opinion as to whether the individual would constitute a danger to self or society if released and the impact of the individual’s medical condition on their risk to society.¹⁹ Emphasis is to be placed on the impact of the individual’s medical condition as it relates to their overall risk to society.²⁰

- If, based on that evaluation, the Unit Warden recommends the individual be considered for Medical Parole, the *Recommendation for Medical Parole or Medical Treatment Furlough* form is sent to the Department’s CNO for processing.²¹
- If the Unit Warden declines to recommend the individual, a notice is sent to the CNO and the paperwork is filed in the individual’s medical record.²²

Legal Compliance Review – The Department’s Medical/Mental Health Director evaluates every *Recommendation for Medical Parole or Medical Treatment Furlough* form to ensure it complies with applicable state laws and agency policies²³ and

completes the form by either recommending the incarcerated individual for Medical Parole and submitting it to the Secretary for review²⁴ or declining to recommend the individual for Medical Parole and sending a notification of the decision to the Unit Warden and the CNO.²⁵

Recommendation from Department Secretary – The Secretary evaluates every *Recommendation for Medical Parole or Medical Treatment Furlough* form received²⁶ and completes the form by (1) recommending the incarcerated individual for Medical Parole and forwarding the case to the Committee;²⁷ (2) requesting additional information prior to making a decision;²⁸ or (3) declining to recommend the individual for Medical Parole and sending a notice of the decision to the Warden and the CNO.²⁹

IV. DECISION-MAKING PROCESS

Decision-Maker – The authority to grant Medical Parole rests solely with the Louisiana Board of Pardons and Committee on Parole (Committee).³⁰

Decision-Making Process – When considering an incarcerated individual for Medical Parole, the Committee may require that the Department produce additional medical evidence or that the individual have additional medical exams.³¹

Upon referral by the Department, the Committee schedules an individual for a Medical Parole hearing.³² Note that if an individual is unable to appear before the Board due to the medical condition, a medical professional can provide information to the Committee about the individual’s medical condition.³³

The Committee determines the risk to public safety and will grant Medical Parole only after determining that the individual does not pose a threat to public safety.³⁴ The individual’s medical condition and its relation to their public safety risk is given emphasis in this assessment.³⁵

Decision – Based on all the documentation and information presented, the Committee decides whether to grant or deny an individual’s Medical Parole request.³⁶

Conditions – The Committee can establish Medical Parole conditions, if necessary,³⁷ including conditions related to monitoring the individual’s physical condition and ensuring there is no danger to society.³⁸ Individuals must also waive their right to medical confidentiality and privacy as condition of Medical Parole.³⁹

Discharge Planning – The Unit Health Authority must ensure that discharge planning begins before Medical Parole is approved and is completed “immediately” when the Committee approves release.⁴⁰ Planning includes a residence plan (either a health care facility or home setting)⁴¹ and enrolling the individual in Medicaid or another health insurance plan prior to release.⁴² Within seven days of the Committee granting parole, the receiving facility is notified and the facility must notify its residents the

individual will be living at the facility.⁴³ Additionally, the facility or caregiver must be given copies of the individual's medical records and the individual must have an adequate supply of medications, undergo infectious disease testing, and be referred to counseling and health care services if needed.⁴⁴ The Unit Warden must submit the individual's DNA sample to the state DNA database and make required notifications for sex offenses.⁴⁵

V. POST-DECISION

Parole Term – Parole term is the remainder of the individual's sentence and no time for good behavior may be earned while on Medical Parole.⁴⁶

Supervision – The Department's Division of Probation and Parole is responsible for monitoring all individuals released on Medical Parole.⁴⁷ Supervision consists of periodic medical evaluations at intervals set by the Committee at the time of the individual's release.⁴⁸ Supervision lasts until death, expiration of sentence, or revocation.⁴⁹

Denials and Appeal Rights – If the Committee denies Medical Parole, the individual may apply for a rehearing within the usual time frames applicable to general parole.⁵⁰ If a Medical Parole request is declined at earlier steps in the process – for example, if the Secretary declines to forward the Medical Parole request to the Committee – an incarcerated individual's request to have a decision reconsidered requires starting the process again at the Unit level.⁵¹

Revocation or Termination – For individuals released on Medical Parole whose conditions improve such that they would not be eligible for Medical Parole, the Committee can order a return to Department custody for a revocation hearing.⁵² If Medical Parole is revoked due to an improvement in the medical condition, the individual resumes serving the balance of the sentence with credit given for the duration of the Medical Parole.⁵³

The Committee can also revoke Medical Parole for violations of any conditions it establishes.⁵⁴

VI. REPORTING AND STATISTICS

Within the Department, the CNO is responsible for a quarterly report that includes the number of individuals who meet the criteria for Medical Parole, the number granted, and the number declined.⁵⁵ The Division of Probation and Parole is required to submit a monthly report of Medical Paroles to the Secretary, CNO, and Committee Board Chair.⁵⁶

The Department and the Commission on Law Enforcement and Administration of Criminal Justice are required to collect and distribute data, including information on

Medical Parole, and send a report to the House Committee on Administration of Criminal Justice and Senate Committee on Judiciary B by June 30th of each year.⁵⁷ The Department must make their annual report publicly available by June 30th each year.⁵⁸

The Louisiana Board of Pardons and Committee on Parole reported the following Medical Parole statistics in its 2022 annual report:

- In 2021, the Committee considered five Medical Parole requests and granted release to one individual.⁵⁹
- In 2022, the Committee considered 10 Medical Parole requests and granted release to eight individuals.⁶⁰
- Publicly available information on Medical Parole requests is only available until 2022; the Committee’s Annual Reports for 2023 and 2024 did not include information on Medical Parole.

MEDICAL TREATMENT FURLOUGH

The Medical Treatment Furlough program allows release of incarcerated individuals with serious medical conditions to health care facilities (such as acute care hospitals, nursing homes, or other licensed medical facilities) for medical care and treatment.⁶¹

I. ELIGIBILITY

Medical Condition – Individuals may be considered for Medical Treatment Furlough if they are ineligible for Medical Parole and have limited mobility.⁶²

- “Limited mobility” means unable to perform activities of daily living, such as bathing, dressing, transferring, toileting, and eating, without help or totally confined to a bed or chair.⁶³ This includes individuals who are in a prolonged coma or who need medical ventilation.⁶⁴

Note that Department policy states that generally an individual will not be considered for Medical Treatment Furlough if the medical condition was present at the time of sentencing unless the condition has significantly deteriorated since that time.⁶⁵ However, that restriction is not referenced in the statute.

Exclusions – Incarcerated individuals who have a death sentence or who are serving a sentence for first-degree murder are not eligible for Medical Treatment Furlough.⁶⁶

II. APPLICATION OR REFERRAL

The Department is responsible for identifying incarcerated individuals who may be eligible for Medical Treatment Furlough based on medical information and referring them to the Committee on Parole (Committee).⁶⁷

Any treating health care practitioner with knowledge of an individual's limited mobility may initiate the Medical Treatment Furlough process by completing a *Medical Criteria Screening Form* and submitting it to the Unit Medical Director for consideration.⁶⁸ Other facility and Department staff with knowledge of an individual's medical condition, including wardens and Headquarters' medical staff, may also ask the Unit Medical Director to review an individual for Medical Treatment Furlough.⁶⁹

Department rules state that the Unit Health Authority, or a designee, must identify all incarcerated individuals who meet the medical criteria for Medical Treatment Furlough and submit a quarterly report to the Chief Nursing Officer (CNO) identifying those individuals.⁷⁰

There is no Department information indicating that an incarcerated individual or family member can file an application to start the Medical Treatment Furlough process.

III. DOCUMENTATION AND ASSESSMENT

The Warden at each institution appoints a multidisciplinary team to evaluate all Medical Treatment Furlough requests.⁷¹

Medical Criteria Screening – The Unit Medical Director evaluates each *Medical Criteria Screening Form* received and based only on the incarcerated individual's medical information, decides whether the individual meets the medical eligibility criteria for Medical Treatment Furlough.⁷²

- If the Unit Medical Director finds the individual meets the medical criteria and recommends the individual be considered for Medical Treatment Furlough, the Unit Medical Director completes the appropriate section of the *Recommendation for Medical Parole or Medical Treatment Furlough* form and submits it to the Unit Warden for review.⁷³
- If the Unit Medical Director declines to recommend the incarcerated individual for Medical Treatment Furlough, a “notification of declination” is sent to the Unit Warden and the Department's CNO, and the *Medical Criteria Screening Form* is filed in the individual's medical record.⁷⁴

Risk Assessment and Suitability for Medical Treatment Furlough – The Unit Warden is responsible for evaluating every recommendation and ensuring team members

provide relevant information on an individual's suitability for Medical Treatment Furlough.⁷⁵ The Unit Warden completes the appropriate section on the *Recommendation for Medical Parole or Medical Treatment Furlough* form, including information on the individual's crime, criminal history, length of time served, institutional conduct, an opinion as to whether the individual would constitute a danger to self or society if released, and the impact of the individual's medical condition on their risk to society.⁷⁶ Emphasis is to be placed on the impact of the individual's medical condition as it relates to their overall risk to society.⁷⁷

- If, based on this evaluation, the Unit Warden recommends the individual for Medical Treatment Furlough, the *Recommendation for Medical Parole or Medical Treatment Furlough* form is sent to the CNO for processing.⁷⁸
- If the Unit Warden declines to recommend the individual, a notice is sent to the CNO, and the paperwork is filed in the individual's medical record.⁷⁹

Legal Compliance Review – The Department's Medical/Mental Health Director evaluates every *Recommendation for Medical Parole or Medical Treatment Furlough* form received to ensure it complies with applicable law and agency policies⁸⁰ and completes the form by either recommending the incarcerated individual for Medical Treatment Furlough and submitting it to the Secretary for review⁸¹ or declining to recommend the individual for Medical Treatment Furlough and sending a notification of the decision to the Warden and the CNO.⁸²

Recommendation from Department Secretary – The Secretary evaluates every *Recommendation for Medical Parole or Medical Treatment Furlough* form received⁸³ and completes the form by (1) recommending the incarcerated individual for Medical Treatment Furlough and forwarding the case to the Committee,⁸⁴ (2) seeking additional information before making a decision⁸⁵, or (3) declining to recommend the individual for Medical Treatment Furlough and sending a notice of the decision to the Warden and the CNO.⁸⁶

IV. DECISION-MAKING PROCESS

Decision-Maker – The authority to grant Medical Treatment Furlough rests solely with the Louisiana Committee on Parole.⁸⁷

Decision-Making Process – Upon referral by the Department, the Committee will schedule an incarcerated individual for a Medical Treatment Furlough hearing.⁸⁸ Note that if an individual is unable to appear before the Board due to their medical condition, a medical professional can provide information to the Committee about the individual's medical condition.⁸⁹

When considering an individual for Medical Treatment Furlough, the Committee may require that the Department produce additional medical evidence or that the individual have additional medical exams.⁹⁰

The Committee determines the risk to public safety and will grant Medical Treatment Furlough only after determining that the individual does not pose a threat to public safety.⁹¹ The individual's medical condition and its relation to their public safety risk is given emphasis in this assessment.⁹²

Decision – The Committee may authorize a release on Medical Treatment Furlough if the individual meets the medical criteria and (1) placement is secured in an acute care hospital, nursing home, or other appropriate medical facility that is able to meet the individual's medical and treatment needs, (2) all monitoring, security, and supervision requirements the Committee determines are necessary have been arranged by the Division of Probation and Parole, and (3) the Committee determines that the individual does not present a substantial flight risk.⁹³

Conditions – The Committee can establish any additional Medical Treatment Furlough conditions it determines are necessary to monitor the individual's condition and to ensure the individual is not a danger to self or society.⁹⁴ The individual must waive their right to medical confidentiality and privacy as a condition of Medical Treatment Furlough.⁹⁵

Discharge Planning – The Unit Health Authority ensures that discharge planning begins before Medical Treatment Furlough is approved and is completed “immediately” when the Committee approves release.⁹⁶ Planning includes ensuring that a residence plan at an appropriate health care facility is secured⁹⁷ and enrolling the individual in Medicaid or another health insurance plan prior to release.⁹⁸ Within seven days of the Committee granting parole, the receiving facility is notified and the facility must notify its residents the individual will be living at the facility.⁹⁹ Additionally, the facility must be given copies of the individual's medical records and a verbal report and individuals must undergo infectious disease testing and be referred to counseling and health care services if needed.¹⁰⁰ The Unit Warden must submit the individual's DNA sample to the state DNA database and make required notifications for sex offenses.¹⁰¹

V. POST-DECISION

Parole Term - Parole Term is for the remainder of the individual's sentence without reductions for good behavior.¹⁰²

Supervision – The Department's Division of Probation and Parole is responsible for monitoring all individuals released on Medical Treatment Furlough.¹⁰³ Supervision consists of periodic medical evaluations at intervals set by the Committee at the time of the individual's release.¹⁰⁴ Supervision lasts until death, expiration of sentence, or revocation.¹⁰⁵

Denials and Appeal Rights – If the Committee denies Medical Treatment Furlough, the individual may apply for a rehearing within the usual time frames applicable to general parole.¹⁰⁶ If a Medical Treatment Furlough request is declined at other steps

in the process – for example, if the Secretary declines to forward the Medical Treatment Furlough request to the Committee – an incarcerated individual’s request to have a decision reconsidered requires starting the process again at the Unit level.¹⁰⁷

Revocation or Termination – For individuals released on Medical Treatment Furlough whose conditions improve such that they would not be eligible for Medical Treatment Furlough, the Committee can order a return to Department custody for a revocation hearing.¹⁰⁸ If Medical Treatment Furlough is revoked due to an improvement in the medical condition, the individual resumes serving the balance of the sentence with credit given for the duration of the Medical Treatment Furlough.¹⁰⁹

The Committee can also revoke Medical Treatment Furlough for violations of any conditions it establishes.¹¹⁰

VI. REPORTING AND STATISTICS

Within the Department, the CNO is responsible for a quarterly report that includes the number of individuals who meet the criteria for Medical Treatment Furlough, the number granted, and the number declined.¹¹¹ The Division of Probation and Parole is required to submit a monthly report of Medical Treatment Furloughs to the Secretary, CNO, and Committee Board Chair.¹¹²

The Department and the Commission on Law Enforcement and Administration of Criminal Justice are required to collect and distribute data, including information on Medical Treatment Furlough, and send a report to the House Committee on Administration of Criminal Justice and Senate Committee on Judiciary B by June 30th of each year.¹¹³ The Department must make their annual report publicly available by June 30th each year.¹¹⁴

The Louisiana Board of Pardons and Committee on Parole reported the following Medical Treatment Furlough statistics in its 2022 annual report:

- In 2021, the Committee considered two Medical Treatment Furlough requests and granted release to one individual.¹¹⁵
- In 2022, the Committee considered six Medical Treatment Furlough requests and granted release to all six individuals.¹¹⁶
- Publicly available information on Medical Treatment Furlough requests is only available until 2022; the Committee’s Annual Reports for 2023 and 2024 did not include information on Medical Treatment Furlough.

COMPASSIONATE RELEASE

The Secretary of the Department of Public Safety and Corrections (Department) may authorize Compassionate Release of an incarcerated individual who is terminally ill or has limited mobility.¹¹⁷

I. ELIGIBILITY

Medical Condition – To qualify for Compassionate Release, an incarcerated individual must either have limited mobility or be terminally ill and present a low risk to public safety.¹¹⁸

- “Limited mobility” is defined as having a medical condition that results in the individual being (1) unable to perform activities of daily living (such as bathing, dressing, transferring, toileting, and eating) without significant assistance or (2) confined to a bed or chair, including but not limited to “prolonged coma and mechanical ventilation.”¹¹⁹ Limited mobility individuals must require rehabilitative or ongoing skilled nursing care.¹²⁰
- An individual is “terminally ill” if they have been diagnosed with a terminal illness and death is expected within **60 days**.¹²¹ Terminally ill individuals must require end-of-life care.¹²²

Note that Department policy states that it will generally not consider an individual for Compassionate Release if the medical condition or illness was present at the time of sentencing unless the individual’s overall condition has significantly deteriorated since that time.¹²³

Exclusions – Individuals who are sentenced to death, serving a sentence for first- or second-degree murder or certain other offenses will not be considered for Compassionate Release.¹²⁴

II. APPLICATION OR REFERRAL

Any treating health care practitioner with knowledge of an incarcerated individual’s terminal illness or limited mobility can initiate the Compassionate Release process by completing a *Medical Criteria Screening Form* and submitting it to the Unit Medical Director for consideration.¹²⁵ Other facility and Department staff with knowledge of an individual’s medical condition, including wardens and Headquarters’ medical staff, may also ask the Unit Medical Director to review an individual for Compassionate Release.¹²⁶

Department rules state that the Unit Health Authority (or a designee) **must** identify all incarcerated individuals who meet the medical criteria for Compassionate Release and submit a quarterly report to the Chief Nursing Officer (CNO) identifying those individuals.¹²⁷

There is no information in the Department's Compassionate Release policy indicating that an incarcerated individual or family member can file an application to start the Compassionate Release process.

III. DOCUMENTATION AND ASSESSMENT

The Warden at each institution appoints a multidisciplinary team to evaluate all Compassionate Release requests.¹²⁸

Medical Criteria Screening – The Unit Medical Director (or designee) evaluates each *Medical Criteria Screening Form* received and decides whether the individual meets the medical eligibility criteria for Compassionate Release based only on the incarcerated individual's medical information.¹²⁹

- If the Unit Medical Director finds that the individual meets the medical criteria and recommends the individual be considered for Compassionate Release, the appropriate section of the *Recommendation for Compassionate Release* form is completed and submitted to the Unit Warden for review.¹³⁰
- If the Unit Medical Director declines to recommend the incarcerated individual for Compassionate Release, notification is sent to the Warden and the CNO and the *Medical Criteria Screening Form* is filed in the individual's medical record.¹³¹

Risk Assessment and Suitability for Compassionate Release – The Unit Warden is responsible for evaluating every recommendation for Compassionate Release and ensuring team members provide relevant information on an individual's suitability for Compassionate Release.¹³² The Unit Warden then completes the appropriate section of the *Recommendation for Compassionate Release* form by providing information on the individual's offenses, convictions, and time incarcerated.¹³³

- If, based on that evaluation, the Unit Warden recommends the individual for release, the *Recommendation for Compassionate Release* is sent to the CNO for processing.¹³⁴
- If the Unit Warden declines to recommend the individual for Compassionate Release, a notice is sent to the CNO, and the paperwork is filed in the individual's medical record.¹³⁵

Legal Compliance Review – The Department's Medical/Mental Health Director evaluates every *Recommendation for Compassionate Release* form received to ensure it complies with applicable law and policy¹³⁶ and completes the form by either recommending the individual for Compassionate Release and submitting it to the Secretary for review¹³⁷ or declining to recommend the individual for Compassionate Release and sending a notification of the decision to the Warden and the CNO.¹³⁸

IV. DECISION-MAKING PROCESS

Decision-Maker – The Department Secretary (Secretary) makes all final decisions regarding a Compassionate Release.¹³⁹

Decision – The Secretary reviews every *Recommendation for Compassionate Release* and evaluates all the individual’s information.¹⁴⁰ The Secretary then either (1) approves the Compassionate Release, concurring with the recommendation of the Department Medical/Mental Health Director, Warden, and medical staff,¹⁴¹ (2) asks for additional information from medical or administrative staff before making a final decision,¹⁴² or denies the Compassionate Release request.¹⁴³

Discharge Planning – The Unit Health Authority ensures that discharge planning begins before Compassionate Release is approved and is completed “immediately” when the Committee approves release.¹⁴⁴ Planning includes ensuring that a residence plan at an appropriate health care facility is secured¹⁴⁵ and enrolling the individual in Medicaid or another health insurance plan prior to release.¹⁴⁶ Terminally ill individuals may be released to either a health care facility or a home setting able to meet their medical needs and limited mobility individuals may only be released to a health care facility.¹⁴⁷ Additionally, the individual’s facility must be given copies of the individual’s medical records and a verbal report, and individuals must be given an adequate supply of medication for home release and be offered optional HIV testing.¹⁴⁸ The Unit Warden must submit the individual’s DNA sample to the state DNA database, notify any registered victims, and make required notifications for sex offenses.¹⁴⁹ The CNO notifies the Division of Probation and Parole when Compassionate Release is granted.¹⁵⁰

V. POST-DECISION

Compassionate Release Term – Compassionate Release lasts for the remainder of an individual’s sentence unless otherwise revoked.¹⁵¹ Individuals on Compassionate Release earn diminution of sentence while on Compassionate Release if eligible; if the individual becomes eligible for Good Time Parole Supervision (GTPS), their release is converted to good time parole on their date of eligibility.¹⁵²

Supervision –The Department’s Division of Probation and Parole is responsible for monitoring all individuals released on Compassionate Release and conducts visits with the individual.¹⁵³ Supervision lasts until death, expiration of sentence, or revocation.¹⁵⁴

Revocation or Termination – The Compassionate Release term is for the remainder of the individual’s sentence unless it is revoked.¹⁵⁵

If an individual’s condition has improved to the point the medical eligibility criteria are no longer met, the Division of Probation and Parole reports that to the Department’s Medical/Mental Health Director within five business days.¹⁵⁶ If

Compassionate Release is revoked due to a medical improvement and the individual would otherwise be eligible for parole, the individual may then be considered for traditional parole.¹⁵⁷ Once Compassionate Release is revoked for medical improvement, the individual resumes serving the balance of their sentence in custody with credit for the time on Compassionate Release.¹⁵⁸

If an individual granted Compassionate Release is discharged or absconds from a health care facility, the release is immediately revoked.¹⁵⁹

VI. REPORTING AND STATISTICS

Within the Department, the Unit Health Authority is responsible for a quarterly report on the individuals who meet the criteria for Compassionate Release.¹⁶⁰ The CNO must submit a quarterly report to the Secretary including the number of individuals who meet the medical criteria for Compassionate Release, the number granted, and the number declined.¹⁶¹ The Division of Probation and Parole is required to submit a monthly report of individuals on Compassionate Release to the Secretary and CNO.¹⁶²

There is no publicly available information on the number of Compassionate Releases each year.

PAROLE BASED ON ADVANCED AGE

I. ELIGIBILITY

Age – Incarcerated individuals aged 60 and older may be eligible for parole if they have served at least 10 years of their sentence and meet **all** certain conditions.¹⁶³

- The individual must not have any major disciplinary offenses in the 36 consecutive months prior to the parole hearing date.¹⁶⁴
- The individual must complete a minimum of 100 hours of prerelease programming, if available at the facility where the individual is housed.¹⁶⁵
- The individual has completed substance abuse treatment, if applicable.¹⁶⁶
- The individual has completed a literacy program, adult basic education program, job skills training program, or obtained a high equivalency certificate.¹⁶⁷
- The Department has determined the individual is low risk using a “validated risk assessment instrument.”¹⁶⁸

Exclusions – Individuals convicted of a crime of violence, or a sex offense are not eligible for parole consideration under the advanced age provision.¹⁶⁹

II. ADDITIONAL INFORMATION

There is no additional age-specific parole information in the state law, Louisiana Board of Pardons and Committee on Parole rules, or Department policies on applying for parole based on being aged 60 or older or on the decision-making process. Information on the parole process, hearings, conditions, supervision, and revocation generally apply.¹⁷⁰ Note there is a required one-time parole fee of \$65.¹⁷¹ Additionally, provisions on victim rights apply, such as notice, hearing appearance and testimony, and restitution.¹⁷²

LOUISIANA COMPASSIONATE RELEASE

PRIMARY LEGAL SOURCES

MEDICAL PAROLE

Statute

Louisiana Statutes § 15:574.20 (2025), available through the Louisiana State Legislature, <https://legis.la.gov/Legis/Law.aspx?d=79226>.

Regulations

Louisiana Administrative Code, Title 22, Part XI, Chapter 3, § 307 (2025), available through the Louisiana Division of Administration, <https://www.doa.la.gov/media/4eufbn5k/22v01-15.pdf>.

Agency Policy

Louisiana Department of Public Safety and Corrections, Corrections Services, Health Care Policy No. HCP42, *Medical Release Procedures: Medical Parole* (Jan. 9, 2019), <https://www.incarcerationtransparency.org/wp-content/uploads/2021/05/Medical-Parole.pdf> (start at source page <https://www.incarcerationtransparency.org>, click "Louisiana" in top right, on new page scroll down and click "Standards, Regulations, and Best Practices," on new page scroll to "Health Care Policies for Louisiana Prisons" and click link for document).

Louisiana Board of Pardons and Committee on Parole, Board Policy No. 03-301-POL, *Parole Eligibility and Types of Parole* (Sept. 20, 2024), <https://doc.louisiana.gov/wp-content/uploads/2024/09/03-301-POL-Parole-Eligibility-and-Types-of-Parole-Updated.pdf> (start at source page <https://doc.louisiana.gov/imprisoned-person-programs-resources/pardons-parole/policies-and-administrative-roles/> and scroll to policy link).

MEDICAL TREATMENT FURLOUGH

Statute

Louisiana Statutes § 15:574.20 (2025), available through the Louisiana State Legislature, <https://legis.la.gov/Legis/Law.aspx?d=79226>.

Regulations

Louisiana Administrative Code, Title 22, Part XI, Chapter 3, § 307 (2025), available through the Louisiana Division of Administration, <https://www.doa.la.gov/media/4eufbn5k/22v01-15.pdf>.

Agency Policy

Louisiana Department of Public Safety and Corrections, Corrections Services, Health Care Policy No. HCP46, *Medical Release Procedures: Medical Treatment Furlough* (Nov. 28, 2018), <https://www.incarcerationtransparency.org/wp-content/uploads/2021/05/Medical-Treatment-Furlough.pdf> (start at source page <https://www.incarcerationtransparency.org>, click "Louisiana" in top right, on new page scroll down and click "Standards, Regulations, and Best Practices," on new page scroll to "Health Care Policies for Louisiana Prisons" and click link for document).

Louisiana Board of Pardons and Committee on Parole, Board Policy No. 03-301-POL, *Parole Eligibility and Types of Parole* (Sept. 20, 2024), <https://doc.louisiana.gov/wp-content/uploads/2024/09/03-301-POL-Parole-Eligibility-and-Types-of-Parole-Updated.pdf> (start at source page <https://doc.louisiana.gov/imprisoned-person-programs-resources/pardons-parole/policies-and-administrative-roles/> and scroll to policy link).

LOUISIANA COMPASSIONATE RELEASE

PRIMARY LEGAL SOURCES

COMPASSIONATE RELEASE

Statute

Louisiana Statutes § 15:833.2 (2025), available through the Louisiana State Legislature, <https://legis.la.gov/Legis/Law.aspx?d=508860>.

Agency Policy

Louisiana Department of Public Safety and Corrections, Corrections Services, Health Care Policy No. HCP41, *Medical Release Procedures: Compassionate Release* (June 12, 2018), <https://www.incarcerationtransparency.org/wp-content/uploads/2021/05/Compassionate-Release.pdf> (start at source page <https://www.incarcerationtransparency.org>, click "Louisiana" in top right , on new page scroll down and click "Standards, Regulations, and Best Practices," on new page scroll to "Health Care Policies for Louisiana Prisons" and click link for document).

PAROLE BASED ON ADVANCED AGE

Statute

Louisiana Statutes § 15:574.4(A)(4) (2025), available through the Louisiana State Legislature, <https://legis.la.gov/Legis/Law.aspx?d=79239>.

NOTES

* *Id.* means see prior note. *Supra* means refer to specified note for full citation.

¹ La. Stat. Ann. § 15:574.20 (2025); La. Admin. Code tit. 22, pt. XI, § 307(A)-(B) (2025); Louisiana Department of Public Safety and Corrections, Corrections Services, Health Care Policy No. HCP42, *Medical Release Procedures: Medical Parole* (Jan. 9, 2019) [hereinafter *Medical Parole*], <https://www.incarcerationtransparency.org/wp-content/uploads/2021/05/Medical-Parole.pdf> (start at source page <https://www.incarcerationtransparency.org>, click "Louisiana" in top right, on new page scroll down and click "Standards, Regulations, and Best Practices," on new page scroll to "Health Care Policies for Louisiana Prisons" and click link for document); Louisiana Board of Pardons and Committee on Parole, Board Policy No. 03-301-POL, *Parole Eligibility and Types of Parole* (Sept. 20, 2024) [hereinafter *Parole Eligibility*], <https://doc.louisiana.gov/wp-content/uploads/2024/09/03-301-POL-Parole-Eligibility-and-Types-of-Parole-Updated.pdf> (start at source page <https://doc.louisiana.gov/imprisoned-person-programs-resources/pardons-parole/policies-and-administrative-roles/> and scroll to policy link).

² La. Stat. Ann. § 15:574.20; La. Admin. Code tit. 22, pt. XI, § 307(A),(C); Louisiana Department of Public Safety and Corrections, Corrections Services, Health Care Policy No. HCP46, *Medical Release Procedures: Medical Treatment Furlough* (Nov. 28, 2018) [hereinafter *Medical Treatment Furlough*], <https://www.incarcerationtransparency.org/wp-content/uploads/2021/05/Medical-Treatment-Furlough.pdf> (start at source page <https://www.incarcerationtransparency.org>, click "Louisiana" in top right, on new page scroll down and click "Standards, Regulations, and Best Practices," on new page scroll to "Health Care Policies for Louisiana Prisons" and click link for document); *Parole Eligibility*, *supra* note 1.

³ La. Stat. Ann. § 15:833.2 (2025); Louisiana Department of Public Safety and Corrections, Corrections Services, Health Care Policy No. HCP41, *Medical Release Procedures: Compassionate Release* (June 12, 2018) [hereinafter *Compassionate Release*], <https://www.incarcerationtransparency.org/wp-content/uploads/2021/05/Compassionate-Release.pdf> (start at source page <https://www.incarcerationtransparency.org>, click "Louisiana" in top right, on new page scroll down and click "Standards, Regulations, and Best Practices," on new page scroll to "Health Care Policies for Louisiana Prisons" and click link for document).

⁴ La. Stat. Ann. § 15:574.4(A)(4) (2025).

⁵ La. Stat. Ann. § 15:574.20(B)(1); La. Admin. Code tit. 22, pt. XI, § 307(B); *Medical Parole*, *supra* note 1, § (6)(B)(1); *Parole Eligibility*, *supra* note 1, § (B)(2)(a).

Note Medical Parole consideration is in addition to parole generally and if the individual is eligible for general parole, it is considered before Medical Parole (La. Admin. Code tit. 22, pt. XI, § 307(B)(3); *Parole Eligibility*, *supra* note 1, § (B)(2)(c)).

⁶ La. Stat. Ann. § 15:574.20(B)(1)(a); La. Admin. Code tit. 22, pt. XI, § 307(A); *Medical Parole*, *supra* note 1, § (5)(E); *Parole Eligibility*, *supra* note 1, § "Definitions."

Note that "substantial gainful activity" is not defined in the statute, regulations, or agency policy.

⁷ La. Stat. Ann. § 15:574.20(B)(1)(b); La. Admin. Code tit. 22, pt. XI, § 307(A); *Medical Parole*, *supra* note 1, § (5)(F); *Parole Eligibility*, *supra* note 1, § "Definitions."

Note the definition also states the underlying medical condition is usually permanent and "carries a poor prognosis."

⁸ *Medical Parole*, *supra* note 1, § (6)(B)(2). See also *Parole Eligibility*, *supra* note 1, § (C)(3).

⁹ La. Stat. Ann. § 15:574.20(B)(2); La. Admin. Code tit. 22, pt. XI, § 307(B)(2); *Medical Parole*, *supra* note 1, § (6)(A)(1); *Parole Eligibility*, *supra* note 1, § (B)(2)(b).

Note that *Parole Eligibility* does not mention the exclusion for individuals serving sentences for second-degree murder.

¹⁰ La. Stat. Ann. § 15:574.20(A), (E)(2).

Individuals housed in non-Department facilities are considered for Medical Parole in the same way as those housed in Department facilities and have the same eligibility requirements (*Medical Parole*, *supra* note 1, § (9)(A)-(B)).

¹¹ *Medical Parole*, *supra* note 1, § (7)(B).

¹² *Id.* § (7)(C).

¹³ *Id.* § (8)(A).

Information on each individual in the report includes name, DOC number, age, medical or mental health diagnosis, current medical treatment, assistance required, time served, Good Time Parole Supervision (GTPS) date, full term date, and if the individual is serving time for a sex offense (*Id.* § (8)(A)(a)-(k)).

¹⁴ *Id.* § (7)(A).

¹⁵ *Id.* § (7)(D)(1).

For individuals housed in non-Department facilities, a physician may complete the Unit Medical Director’s portion of the process and submit documentation to the Unit Warden (*Id.* § (9)(C)(1)). If no physician is available, the Department Medical/Mental Health Director coordinates with the facility to complete the Unit Medical Director’s portion and the institution’s Warden completes the Unit Warden’s portion and submits it to the CNO (*Id.* § (9)(C)(2)-(3)). The procedure after this point is the same for all individuals (*Id.* § (9)(C)(4)).

¹⁶ *Id.* § (7)(D)(2).

¹⁷ *Id.* § (7)(D)(3).

¹⁸ *Id.* § (7)(E)(1)-(2).

¹⁹ *Id.* § (7)(E)(3).

²⁰ La. Stat. Ann. § 15:574.20(D)(1); *Parole Eligibility*, *supra* note 1, § (C)(2).

²¹ *Medical Parole*, *supra* note 1, § (7)(E)(3)(a).

²² *Id.* § (7)(E)(3)(b).

²³ *Id.* § (7)(F)(1).

²⁴ *Id.* § (7)(F)(2)(a).

²⁵ *Id.* § (7)(F)(2)(b).

²⁶ *Id.* § (7)(G)(1).

²⁷ *Id.* § (7)(G)(2)(a).

²⁸ *Id.* § (7)(G)(2)(b).

²⁹ *Id.* § (7)(G)(2)(c).

³⁰ La. Stat. Ann. § 15:574.20(E)(1); La. Admin. Code tit. 22, pt. XI, § 307(D); *Medical Parole*, *supra* note 1, §§ (3), (7)(H)(6).

³¹ La. Stat. Ann. § 15:574.20(E)(2); La. Admin. Code tit. 22, pt. XI, § 307(B)(4); *Medical Parole*, *supra* note 1 § (7)(H)(2); *Parole Eligibility*, *supra* note 1, § (B)(2)(d).

³² La. Admin. Code tit. 22, pt. XI, § 307(B)(1); *Medical Parole*, *supra* note 1, § (7)(H)(1); *Parole Eligibility*, *supra* note 1, § (B)(2)(a).

Note *Parole Eligibility* states hearings will be held following Board Policy Nos. 05-511-POL “Public Hearings/Videoconferencing” and 05-511-A-POL “Special Needs” (no longer available to the public) (Louisiana Board of Pardons and Committee on Parole, Board Policy No. 05-511-POL, [currently named] *Panel Action* (Sept. 20, 2020), <https://doc.louisiana.gov/wp-content/uploads/2023/02/05-511-POL-Panel-Action.pdf> (start at source page <https://doc.louisiana.gov/imprisoned-person-programs-resources/pardons-parole/policies-and-administrative-roles/> and scroll to policy link)).

Note other statutes, regulations, and policies for parole hearings may apply including victim participation and notification. See La. Stat. Ann. § 15:574.4.1 (2025) (parole consideration and hearings); La. Const. Art. I, § 25 (2025) (victim rights); La. Stat. Ann. § 46:1844 (2025) (victim rights); La. Admin. Code tit. 22, pt. XI, § 510 (2025) (victim rights). Other Board Policies can be found at <https://doc.louisiana.gov/imprisoned-person-programs-resources/pardons-parole/policies-and-administrative-roles/>.

³³ La. Admin. Code tit. 22, pt. XI, § 511(D)(1) (2025).

³⁴ La. Stat. Ann. § 15:574.20(D)(1), (E)(3); La. Admin. Code tit. 22, pt. XI, § 307(D)(1); *Medical Parole*, *supra* note 1, § (7)(H)(3); *Parole Eligibility*, *supra* note 1, §§ (B)(2)(e), (C)(2).

³⁵ La. Stat. Ann. § 15:574.20(D)(1); *Parole Eligibility*, *supra* note 1, § (C)(2).

Note *Parole Eligibility* directs the Committee to assess whether the individual would pose a “high risk” if released.

³⁶ *Medical Parole*, *supra* note 1, § (7)(H)(1).

³⁷ La. Stat. Ann. § 15:574.20(E)(1).

³⁸ *Parole Eligibility*, *supra* note 1, § (C)(4).

³⁹ La. Stat. Ann. § 15:574.20(E)(3); La. Admin. Code tit. 22, pt. XI, § 307(D)(2); *Medical Parole*, *supra* note 1, § (7)(H)(4); *Parole Eligibility*, *supra* note 1, § (C)(4).

⁴⁰ *Medical Parole*, *supra* note 1, § (7)(J)(2)(a). The exact timing of the discharge planning process is not specified in Department policy.

⁴¹ *Id.* §§ (7)(J)(1), (7)(J)(2)(c).

⁴² *Id.* § (7)(J)(2)(b).

⁴³ La. Stat. Ann. § 15:574.20(E)(5); *Medical Parole*, *supra* note 1, § (7)(J)(2)(d).

⁴⁴ *Medical Parole*, *supra* note 1, § (7)(J)(2)(e)-(g).

Diseases tested for include syphilis, HIV, Hepatitis A, Hepatitis B, and Hepatitis C. Note if an individual tests positive for an infectious disease, their grant of Medical Parole is conditional on seeking advice and counseling from appropriate health care services and Medical Parole may be revoked if they fail to do so.

⁴⁵ *Id.* § (7)(J)(3).

⁴⁶ La. Stat. Ann. § 15:574.20(F); *Medical Parole*, *supra* note 1, § (7)(K)(1); *Parole Eligibility*, *supra* note 1, § (D).

⁴⁷ *Medical Parole*, *supra* note 1, §§ (7)(L)(1), (8)(C).

⁴⁸ La. Stat. Ann. § 15:574.20(F); *Parole Eligibility*, *supra* note 1, § (D).

⁴⁹ *Parole Eligibility*, *supra* note 1, § (F).

⁵⁰ La. Stat. Ann. § 15:574.20(E)(4); La. Admin. Code tit. 22, pt. XI, § 307(D)(3); *Medical Parole*, *supra* note 1, § (7)(I)(2).

⁵¹ *Medical Parole*, *supra* note 1, § (7)(I)(1).

⁵² La. Stat. Ann. § 15:574.20(G); *Medical Parole*, *supra* note 1, § (7)(L)(2); *Parole Eligibility*, § (E)(2).

⁵³ La. Stat. Ann. § 15:574.20(G); *Medical Parole*, *supra* note 1, § (7)(L)(4).

Note that if Medical Parole is revoked due to an improvement and the Individual is otherwise eligible for parole, the individual may then be considered for traditional parole under La. Stat. Ann. § 15:574.4 (2025). See La. Stat. Ann. § 15:574.20(G); *Medical Parole*, *supra* note 1, § (7)(L)(3); *Parole Eligibility*, *supra* note 1, § (E)(3).

⁵⁴ La. Stat. Ann. § 15:574.20(G); *Medical Parole*, *supra* note 1, § (7)(L)(5); *Parole Eligibility*, *supra* note 1, § (E)(4).

⁵⁵ *Medical Parole*, *supra* note 1, § (8)(B).

⁵⁶ *Medical Parole*, *supra* note 1, § (8)(C)(2).

The information included in the report includes names, DOC numbers, locations, dates parole was granted, dates of departure from the unit, latest narrative reports from parole officers, dates and times of death if needed, and any other appropriate information (*Id.* § (8)(C)(2)(a)-(h)).

⁵⁷ La. Stat. Ann. § 15:827.2(A)(1)-(2) (2025).

⁵⁸ *Id.* § 15.827.2(A)(3). See La. Stat. Ann. § 15.827.2(D) for specifics about the information required to be in the reports.

⁵⁹ Louisiana Board of Pardons and Committee on Parole, 2022 Annual Report 18 (2023), <https://doc.louisiana.gov/wp-content/uploads/2023/03/2022-Annual-Report.pdf> (start at source page <https://doc.louisiana.gov/imprisoned-person-programs-resources/pardons-parole/> and scroll down to Annual Reports and Information and click the link for the report).

⁶⁰ *Id.*

⁶¹ La. Stat. Ann. § 15:574.20(C)(1)(a)-(b); La. Admin. Code tit. 22, pt. XI, § 307(C); *Medical Treatment Furlough*, *supra* note 2, § (5)(E); *Parole Eligibility*, *supra* note 1, § (B)(3)(a).

⁶² La. Stat. Ann. § 15:574.20(C)(1)(b), (C)(2)(a).

Consideration for Medical Treatment Furlough is in addition to any other parole for which an individual may be eligible (La. Stat. Ann. § 15:574.20(A)).

⁶³ La. Stat. Ann. § 15:574.20(C)(2); La. Admin. Code tit. 22, pt. XI, § 307(A); *Medical Treatment Furlough*, *supra* note 2, §§ (5)(D), (6)(B)(1)(a).

⁶⁴ La. Stat. Ann. § 15:574.20(C)(2); La. Admin. Code tit. 22, pt. XI, § 307(A); *Medical Treatment Furlough*, *supra* note 2, § (5)(D).

⁶⁵ *Medical Treatment Furlough*, *supra* note 2, § (6)(B)(1)(c).

⁶⁶ La. Stat. Ann. § 15:574.20(C)(4); La. Admin. Code tit. 22, pt. XI, § 307(C)(2); *Medical Treatment Furlough*, *supra* note 2, § (6)(A); *Parole Eligibility*, *supra* note 1, § (B)(3)(b).

Note the administrative code also excludes individuals serving a sentence for second-degree murder, although the statute and Department policy do not.

⁶⁷ La. Stat. Ann. § 15:574.20(E)(2); La. Admin. Code tit. 22, pt. XI, § 307(C)(1).

Individuals housed in non-Department facilities are considered for Medical Treatment Furlough in the same way as those housed in Department facilities and have the same eligibility requirements (*Medical Treatment Furlough*, *supra* note 2, § (9)(A)-(B)).

⁶⁸ *Medical Treatment Furlough*, *supra* note 2, § (7)(B).

⁶⁹ *Id.* § (7)(C).

⁷⁰ *Id.* § (8)(A).

⁷¹ *Id.* § (7)(A).

⁷² *Id.* § (7)(D)(1).

For individuals housed in non-Department facilities, a physician may complete the Unit Medical Director's portion of the process and submit documentation to the Unit Warden (*Id.* § (9)(C)(1)). If no physician is available, the Department Medical/Mental Health Director coordinates with the facility to complete the Unit Medical Director's portion and the institution's Warden completes the Unit Warden's portion and submits it to the CNO (*Id.* § (9)(C)(2)-(3)). The procedure after this point is the same for all individuals (*Id.* § (9)(C)(4)).

⁷³ *Id.* § (7)(D)(2).

⁷⁴ *Id.* § (7)(D)(3).

⁷⁵ *Id.* § (7)(E)(1)-(2).

⁷⁶ *Id.* § (7)(E)(3).

⁷⁷ La. Stat. Ann. § 15:574.20(D)(1); *Parole Eligibility*, *supra* note 1, § (C)(2).

⁷⁸ *Medical Treatment Furlough*, *supra* note 2, § (7)(E)(3)(a).

⁷⁹ *Id.* § (7)(E)(3)(b).

⁸⁰ *Id.* § (7)(F)(1).

⁸¹ *Id.* § (7)(F)(2)(a).

⁸² *Id.* § (7)(F)(2)(b).

⁸³ *Id.* § (7)(G)(1).

⁸⁴ *Id.* § (7)(G)(2)(a).

⁸⁵ *Id.* § (7)(G)(2)(b).

⁸⁶ *Id.* § (7)(G)(2)(c).

⁸⁷ La. Stat. Ann. § 15:574.20(E)(1); La. Admin. Code tit. 22, pt. XI, § 307(D); *Medical Treatment Furlough*, *supra* note 2, §§ (3), (7)(H)(6); *Parole Eligibility*, *supra* note 1, § (C).

⁸⁸ La. Admin. Code tit. 22, pt. XI, § 307(C)(1); *Medical Treatment Furlough*, *supra* note 2, § (7)(H)(1); *Parole Eligibility*, *supra* note 1, § (B)(3)(b).

Note *Parole Eligibility* states hearings will be held following Board Policy Nos. 05-511-POL “Public Hearings/Videoconferencing” and 05-511-A-POL “Special Needs” (no longer available to the public) (Louisiana Board of Pardons and Committee on Parole, Board Policy No. 05-511-POL, [currently named] Panel Action (Sept. 20, 2020), <https://doc.louisiana.gov/wp-content/uploads/2023/02/05-511-POL-Panel-Action.pdf> (start at source page <https://doc.louisiana.gov/imprisoned-person-programs-resources/pardons-parole/policies-and-administrative-roles/> and scroll to policy link)).

Note other statutes, regulations, and policies for parole hearings may apply including victim participation and notification. See La. Stat. Ann. § 15:574.4.1 (parole consideration and hearings); La. Const. Art. I, § 25 (victim rights); La. Stat. Ann. § 46:1844 (victim rights); La. Admin. Code tit. 22, pt. XI, § 510 (victim rights). Other Board Policies can be found at <https://doc.louisiana.gov/imprisoned-person-programs-resources/pardons-parole/policies-and-administrative-roles/>.

⁸⁹ La. Admin. Code tit. 22, pt. XI, § 511(D)(1).

⁹⁰ La. Stat. Ann. § 15:574.20(E)(2); La. Admin. Code tit. 22, pt. XI, § 307(C)(4); *Medical Treatment Furlough*, *supra* note 2, § (7)(H)(2).

⁹¹ La. Stat. Ann. § 15:574.20(D)(1), (E)(3); La. Admin. Code tit. 22, pt. XI, § 307(D)(1); *Medical Treatment Furlough*, *supra* note 2, § (7)(H)(3); *Parole Eligibility*, *supra* note 1, § (C)(2).

Note *Parole Eligibility* directs the Committee to assess whether the individual would pose a “high risk” if released.

⁹² La. Stat. Ann. § 15:574.20(D)(1); *Parole Eligibility*, *supra* note 1, § (C)(2).

⁹³ La. Stat. Ann. § 15:574.20(C)(3).

⁹⁴ *Id.* § 15:574.20(E)(1).

⁹⁵ La. Stat. Ann. § 15:574.20(E)(3); La. Admin. Code tit. 22, pt. XI, § 307(D)(2); *Medical Treatment Furlough*, *supra* note 2, § (7)(H)(4); *Parole Eligibility*, *supra* note 1, § (B)(3)(d).

⁹⁶ *Medical Treatment Furlough*, *supra* note 2, § (7)(J)(2)(a). The exact timing of the discharge planning process is not clear.

⁹⁷ *Id.* § (7)(J)(2)(c).

Individuals granted Medical Treatment Furlough may only be released to a health care facility (*Id.* § (7)(J)(1)).

⁹⁸ *Id.* § (7)(J)(2)(b).

⁹⁹ La. Stat. Ann. § 15:574.20(E)(5); *Medical Treatment Furlough*, *supra* note 2, § (7)(J)(2)(d).

¹⁰⁰ *Medical Treatment Furlough*, *supra* note 2, § (7)(J)(2)(e)-(f).

Diseases tested for include syphilis, HIV, Hepatitis A, Hepatitis B, and Hepatitis C. Note if an individual tests positive for an infectious disease, their grant of Medical Treatment Furlough is conditional on seeking advice and counseling from appropriate health care services and Medical Treatment Furlough may be revoked if they fail to do so.

¹⁰¹ *Id.* § (7)(J)(3).

¹⁰² La. Stat. Ann. § 15:574.20(F); *Medical Treatment Furlough*, *supra* note 2, § (7)(K); *Parole Eligibility*, *supra* note 1, § (D).

¹⁰³ *Medical Treatment Furlough*, *supra* note 2, §§ (7)(L)(1), (8)(C).

¹⁰⁴ La. Stat. Ann. § 15:574.20(F); *Parole Eligibility*, *supra* note 1, § (D).

¹⁰⁵ *Parole Eligibility*, *supra* note 1, § (F).

¹⁰⁶ La. Stat. Ann. § 15:574.20(E)(4); La. Admin. Code tit. 22, pt. XI, § 307(D)(3); *Medical Treatment Furlough*, *supra* note 2, § (7)(I)(2).

¹⁰⁷ *Medical Treatment Furlough*, *supra* note 2, § 7(I)(1).

¹⁰⁸ La. Stat. Ann. § 15:574.20(G); *Medical Treatment Furlough*, *supra* note 2, § (7)(L)(2); *Parole Eligibility*, *supra* note 1, § (E)(2).

¹⁰⁹ La. Stat. Ann. § 15:574.20(G); *Medical Treatment Furlough*, *supra* note 2, § (7)(L)(4).

Note that if Medical Treatment Furlough is revoked due to an improvement and the Individual is otherwise eligible for parole, the individual may then be considered for traditional parole under La. Stat. Ann. § 15:574.4. See La. Stat. Ann. § 15:574.20(G); *Medical Treatment Furlough*, *supra* note 2, § (7)(L)(3); *Parole Eligibility*, *supra* note 1, § (E)(3).

¹¹⁰ La. Stat. Ann. § 15:574.20(G); *Medical Treatment Furlough*, *supra* note 2, § (7)(L)(5); *Parole Eligibility*, *supra* note 1, § (E)(4).

¹¹¹ *Medical Treatment Furlough*, *supra* note 2, § (8)(B).

¹¹² *Id.* § (8)(C)(2).

The information included in the report includes names, DOC numbers, locations, dates parole was granted, dates of departure from the unit, latest narrative reports from parole officers, dates and times of death if needed, and any other appropriate information (*Id.* § (8)(C)(2)(a)-(h)).

¹¹³ La. Stat. Ann. § 15:827.2(A)(1)-(2).

¹¹⁴ *Id.* § 15.827.2(A)(3). See La. Stat. Ann. § 15.827.2(D) for specifics about the information required to be in the reports.

¹¹⁵ Louisiana Board of Pardons and Committee on Parole, 2022 Annual Report 18 (2023), <https://doc.louisiana.gov/wp-content/uploads/2023/03/2022-Annual-Report.pdf> (start at source page <https://doc.louisiana.gov/imprisoned-person-programs-resources/pardons-parole/> and scroll down to Annual Reports and Information and click the link for the report).

¹¹⁶ *Id.*

¹¹⁷ La. Stat. Ann. § 15:833.2(A) (2025); *Compassionate Release*, *supra* note 3, § (3).

Note that although the policy's definition of Compassionate Release says that it is a "temporary leave of absence," it also says that the term of an individual granted Compassionate Release is for the remainder of that individual's sentence. See *Compassionate Release*, *supra* note 3, §§ (5)(A), (7)(J)(1).

¹¹⁸ La. Stat. Ann. § 15:833.2(A); *Compassionate Release*, *supra* note 3, § (3).

Note that the low risk to public safety requirement is not included in the statute.

¹¹⁹ *Compassionate Release*, *supra* note 3, §§ (5)(E), (6)(B)(1)(a).

¹²⁰ *Id.* § (6)(B)(1)(a).

Note that the definition of "limited mobility" is different for Compassionate Release than it is for Medical Treatment Furlough. Limited mobility individuals released through Compassionate Release must be discharged to a health care facility and meet the facility's admission requirements (*Id.* § (6)(B)(1)(a)(i)).

¹²¹ *Id.* § (5)(G).

Note that the definition of "terminally ill" is different for Compassionate Release than it is for Medical Parole. Terminally ill individuals that are released through Compassionate Release to a health care facility must also meet the facility's admission requirements; if being released to a home setting, the individual must meet the requirements for hospice care or a home health program (*Id.* § (6)(B)(1)(b)).

¹²² *Id.* § (6)(B)(1)(b).

¹²³ *Id.* § (6)(B)(1)(c).

¹²⁴ La. Stat. Ann. § 15:833.2(B); *Compassionate Release*, *supra* note 3, § (6)(A).

Individuals sentenced as habitual offenders or serving sentences for the following offenses are not eligible for Compassionate Release: first-degree murder, second-degree murder, attempted murder, aggravated or first-degree rape, attempted aggravated or first-degree rape, forcible or second-degree rape, aggravated kidnapping, aggravated arson, armed robbery, attempted armed robbery, and Schedule I or II controlled substance offenses. See La. Stat. Ann. §§ 14:27 (attempt generally), 14:29 (homicide), 14:29 (first-degree murder), 14:30 (second-degree murder), 14:42 (aggravated or first-degree rape and attempt), 14.42.1 (forcible or second-degree rape), 14:44 (aggravated kidnapping), 14:51 (aggravated arson), 14:64 (armed robbery and attempt), 15:529.1 (habitual offender), 40:964 (Schedule I or II controlled substance offenses) (2025).

Note *Compassionate Release* only excludes individuals sentenced to death from eligibility, however, the statute is more restrictive.

¹²⁵ *Compassionate Release*, *supra* note 3, § (7)(B).

Individuals housed in non-Department facilities are considered for Compassionate Release in much the same way as those housed in Department facilities and have the same eligibility requirements (*Id.* § (9)(A)-(B)).

¹²⁶ *Id.* § (7)(C).

¹²⁷ *Id.* § (8)(A).

¹²⁸ *Id.* § (7)(A).

¹²⁹ *Id.* § (7)(D)(1).

For individuals housed in non-Department facilities, a physician may complete the Unit Medical Director's portion of the process and submit documentation to the Unit Warden (*Id.* § (9)(C)(1)). If no physician is available, the Department Medical/Mental Health Director coordinates with the facility to complete the Unit Medical Director's portion and the institution's Warden completes the Unit Warden's portion and submits it to the CNO (*Id.* § (9)(C)(2)-(3)). The procedure after this point is the same for all individuals (*Id.* § (9)(C)(4)).

¹³⁰ *Id.* § (7)(D)(2).

¹³¹ *Id.* § (7)(D)(3).

¹³² *Id.* § (7)(E)(1)-(2).

¹³³ *Id.* § (7)(E)(3).

¹³⁴ *Id.* § (7)(E)(3)(a).

¹³⁵ *Id.* § (7)(E)(3)(b).

¹³⁶ *Id.* § (7)(F)(1).

¹³⁷ *Id.* § (7)(F)(2)(a).

¹³⁸ *Id.* § (7)(F)(2)(b).

¹³⁹ La. Stat. Ann. § 15:833.2(A); *Compassionate Release*, *supra* note 3, § 3.

¹⁴⁰ *Compassionate Release*, *supra* note 3, § (7)(G)(1).

¹⁴¹ *Id.* § (7)(G)(2)(a).

¹⁴² *Id.* § (7)(G)(2)(b).

¹⁴³ *Id.* § (7)(G)(2)(c).

If the Secretary denies Compassionate Release, a notice of the decision is sent to the Warden and the Department's Chief Nursing Officer.

¹⁴⁴ *Id.* § (7)(I)(2)(a). The exact timing of the discharge planning process is not clear.

¹⁴⁵ *Id.* § (7)(I)(2)(c).

¹⁴⁶ *Id.* § (7)(I)(2)(b).

¹⁴⁷ *Id.* § (7)(I)(1).

¹⁴⁸ *Id.* § (7)(I)(2)(d)-(f).

An individual who is known to be HIV positive or has had a test within the previous 12 months won't be offered testing.

¹⁴⁹ *Id.* § (7)(I)(3)(a)-(c).

¹⁵⁰ *Id.* § (7)(I)(4).

¹⁵¹ *Id.* § (7)(J)(1).

¹⁵² *Id.* § (7)(J)(2).

¹⁵³ *Id.* §§ (7)(K)(1), (8)(C).

¹⁵⁴ *Id.* § (8)(C)(1).

¹⁵⁵ *Id.* § (7)(J)(1).

¹⁵⁶ *Id.* § (7)(K)(2).

¹⁵⁷ *Id.* § (7)(K)(3).

¹⁵⁸ *Id.* § (7)(K)(4).

¹⁵⁹ La. Stat. Ann. § 15:833.2(C); *Compassionate Release*, *supra* note 3, § (7)(K)(5).

¹⁶⁰ *Compassionate Release*, *supra* note 3, § (8)(A).

The report includes the following information on eligible individuals: name, DOC number, age, medical or mental health diagnosis, current medical treatment, medical or other assistance required, housing location, time served, Good Time Parole Supervision (GTPS) date, full term date, and if the individual is serving a sentence for a sex offense (*Id.* § (8)(A)(1)-(11)).

¹⁶¹ *Id.* § (8)(B).

¹⁶² *Id.* § (8)(C)(2).

The report includes the following information on the individuals: name, DOC number, location, date Compassionate Release was granted, date the individual left their unit, latest narrative report from the Probation and Parole officer, date and time of death if needed, and any other appropriate information (*Id.* § (8)(C)(2)(a)-(h)).

¹⁶³ La. Stat. Ann. § 15:574.4(A)(4).

¹⁶⁴ *Id.* § (A)(4)(b). A major disciplinary offense is a schedule B offense.

¹⁶⁵ *Id.* § (A)(4)(c), citing La. Stat. Ann. § 15:827.1 (2025).

¹⁶⁶ *Id.* § (A)(4)(d).

¹⁶⁷ *Id.* § (A)(4)(e).

¹⁶⁸ *Id.* § (A)(4)(f).

¹⁶⁹ *Id.* § (A)(4)(a). Crimes of violence include but are not limited to murder, manslaughter, battery, assault, kidnapping, rape, sexual battery, intentional exposure to AIDS, arson, robbery and burglary (La. Stat. Ann. § 14.2(B) (2025)). Sex offenses include but are not limited to rape, sexual battery, kidnapping, and trafficking (La. Stat. Ann. § 15:541 (2025)).

¹⁷⁰ See La. Stat. Ann. §§ 15:574.2 (parole committee powers and duties), 15:574.4.1 (parole consideration and hearings), 15:574.4.2 (parole conditions), 15:574.6 (parole term), 15:574.7 (parole supervision and violations), 15:574.9 (parole revocation). See also La. Stat. Ann. §§ 15:574.2-15:574.12.1 (all parole statutes); La. Admin. Code tit. 22, pt. XI, §§ 101-1903 (all parole regulations). Additionally, the Board of Pardons and Committee on Parole website publishes their policies on their website <https://doc.louisiana.gov/imprisoned-individual-person-resources/pardons-parole/policies-and-administrative-roles/>.

¹⁷¹ La. Stat. Ann. § 15.574.4.5 (2025).

¹⁷² See La. Const. Art. I, § 25 (2025); La. Stat. Ann. § 46:1844 (2025), La. Admin. Code tit. 22, pt. XI, § 510 (2025).