

**STATE OF LOUISIANA  
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS  
CORRECTIONS SERVICES**

Department Regulation  
PS-J-2



15 April 2020

**OFFENDER PROGRAMS AND SERVICES  
Special Releases  
Offender Temporary Furlough Program: COVID-19 Emergency**

1. **AUTHORITY:** Secretary of the Department of Public Safety and Corrections as contained in Chapter 9 of Title 36; La. R.S. 15:833; and La. R.S. 15:574.4.4.
2. **REFERENCES:** Louisiana Revised Statutes 14:2, 15:541, 15:574.4.2, 15:574.4, and 15:833; Department Regulation Nos. IS-B-7 "Louisiana Risk Need Assessments," AM-D-3 "Composition/ Location/ Disposal of Active and Inactive Offender Records,;" IS-F-1 "Release Procedures," P&P-1 "Probation and Parole Officers Manual;" ACA Standard 4-4443 (Adult Correctional Institutions).
3. **PURPOSE:** To state the rules and other considerations that shall govern an offender's eligibility for temporary furlough to home incarceration due to the COVID-19 Public Health Emergency.
4. **APPLICABILITY:** Deputy Secretary, Chief of Operations, Regional Wardens, Sheriffs or administrators of local jails, Wardens and Director, Regional Directors and District Managers of Probation and Parole. Each Unit Head is responsible for ensuring that appropriate unit written policy and procedures are in place to comply with the provisions of this regulation.
5. **POLICY:** It is the Secretary's policy that the Department may, as necessary for emergency reasons related to the COVID-19 pandemic, implement a COVID-19 Offender Temporary Furlough Program (COVID-19 OTFP") for certain Non-Violent, Non-Sex, eligible and suitable offenders which may result, upon the approval of the Review Panel, in the offender's furlough to home confinement under the appropriate level of supervision by the Division of Probation and Parole. This program shall sunset upon the full expiration of the COVID-19 Public Health Emergency Proclamation Number 41 JBE 2020 and any subsequent extensions as issued by Governor John Bel Edwards. However, any inmate released to furlough pursuant to these provisions shall remain on such status, regardless of sunset of the panel, and provisions within this regulation governing furlough shall apply to any inmate on furlough pursuant to this regulation.

**6. ELIGIBILITY:**

- A. The offender is within six (6) months of his earliest projected release date;
- B. The offender is not serving a sentence for a conviction for a crime of violence as defined by La. R.S. 14:2 or a sex offense as defined by La. R.S. 15:541;
- C. The offender is not serving a sentence for a conviction of La.R.S.15:542 Sex Offender Notification or 15:542.1.4 Sex Offender Register Violation;
- D. The offender has served at least six (6) months of his term or terms of imprisonment **OR** the offender has an existing medical condition that increases the risk of complications if offender were to contract the COVID-19 virus.

**7. SUITABILITY:**

- A. Eligible offenders for the Program shall be identified based on the selection criteria stated provided for in the Eligibility Section 7 of this regulation.
- B. A current list of offenders eligible for the COVID-19 OTRP participation shall be generated as is deemed necessary.
- C. Offenders meeting the eligibility requirements outlined in section 7 may be considered for furlough pursuant to this regulation.
- D. In order to be considered for the COVID-19 Temporary Furlough Program, an eligible offender shall be evaluated for suitability for the furlough program by a six (6) member COVID-19 OTRP Review Panel consisting cross-agency membership as outlined below in Section 9 of this regulation
- E. In considering an offender's suitability for the Program, the panel may consider but is not limited to the following:
  - 1) Whether the offender's release may pose a danger to the general public;
  - 2) The offender's involvement in any gang related activity during the offender's term of incarceration;
  - 3) The offender's institutional disciplinary record and program completion history as available; and

- 4) The offender's prior criminal history.
- 5) Whether the offender has a low or medium risk level designation determined by TIGER Risk Needs Assessment Tool;

**8. PROCEDURES:**

**A. Panel Composition and Guidelines**

- 1) A Review panel shall be created to evaluate an eligible offender's suitability for temporary release under COVID-19 OTFP. A review panel may be stationed at each state correctional facility. The panel shall consist of six (6) members as follows:
  - a. The Secretary or his designee who shall be Chairman;
  - b. The Director of Probation and Parole or his designee;
  - c. The Executive Director of the Board of Pardons/Committee on parole or his designee;
  - d. A Victims Advocate as appointed by the Governor;
  - e. The Executive Director of the Louisiana Sheriffs' Association or his designee; and
  - f. The Executive Director of the Louisiana District Attorneys' Association or his designee
- 2) Five (5) of Six (6) members of the COVID-19 OTFP Review Panel recommending release shall be required before the Secretary or his designee may temporarily furlough an offender under the Program.
- 3) Offenders determined by the panel to be suitable for the furlough program must have residence plan that is verified by probation and parole.

**B. Release Protocol**

- 1) Upon a panel finding that an offender is both eligible and suitable under the criteria in this Regulation and a verification made by Probation and Parole that the offender has an appropriate residence the Secretary or his designee may authorize the offender's furlough under the Program.

- 2) If the offender is subject to a felony detainer, such detainer(s) must be recalled by the appropriate governing authority prior to a furlough release pursuant to this regulation.
- 3) Offenders shall be furloughed to **home incarceration** through means of a Diminution of Sentence and Certificate of Temporary Release (Form PS-J-1-a) that must be completed in full. The original document shall be given to the offender, a copy shall be filed in the offender's Master Record, and a copy shall be given to Probation and Parole.
- 4) The Good Time Furlough Certificate or a Full Term Furlough Certificate (as applicable) shall require the offender to comply with the conditions of parole as set forth in LAR.S. 15:574.4.2 in addition to any other conditions (to include home incarceration) required by COVID-19 OTFP Panel and or Probation and Parole.
- 5) Procedures for release shall be in accordance with Department Regulation IS-F-1 "Release Procedures."
- 6) Probation and Parole may cancel an offender's participation in the Program at any time for any violation of conditions placed upon the offender.
- 7) The offender's temporary furlough pursuant to this regulation shall terminate on the date of the assigned Good Time Parole Supervision release date, the date of release assigned by the Parole Board, or full term release date, whichever is earlier.

**9. MONITORING REQUIREMENTS/ REPORTS:**

**A. Data Tracking:**

- 1) The Department shall maintain a record of each offender granted a temporary furlough including, but not limited to:
  - a. Offender's name
  - b. Offender's DOC number
  - c. Date of release from Prison or Jail facility pursuant to temporary furlough

- 2) **Cancellations/Violations:** The Department shall track incidents of violations, new arrests and program cancellations for each participating offender.
- B. The Division of Probation and Parole shall monitor offenders that have been granted a temporary furlough via the COVID-19 OTFP in accordance with Probation and Parole policy to ensure:
- 1) Program compliance with the conditions of parole as set forth in LA-R.S. 15:574.4.2, and
  - 2) Mandatory Home incarceration for the duration of the temporary furlough and compliance with ankle device monitoring; and
  - 3) Any other conditions as required by Probation and Parole.

s/James M. Le Blanc  
Secretary