

STATE OF LOUISIANA

REGULAR SESSION, 2026

HOUSE BILL NO. ____ / SENATE BILL NO. ____

BY: _____

THE MERCY ACT

(A Statutory Amendment Bill)

DIGEST (Summary)

Present law provides for a variety of sentencing ranges, including life without parole and lengthy terms of imprisonment, and provides for discretionary parole eligibility and parole decision-making through politically appointed boards.

Proposed law enacts the Mercy Act to:

- establish statutory rights to social inclusion, rehabilitation, and reintegration;
- restructure corrections using a Nordic-style rehabilitation framework;
- abolish life without parole and require that every prison sentence allow the possibility of eventual release;
- establish a general 15-year maximum term of imprisonment, with a limited exceptional extension to 20 years requiring heightened findings;
- abolish discretionary parole and enact mandatory parole, conditional release, and intensive parole governed by expert panels;
- require individualized rehabilitation and reintegration plans and enforceable program access;
- create earned release credits with tangible reintegration incentives (including furloughs and conjugal visits);
- ensure incarcerated persons have meaningful access to vote through secure on-site voting or transportation to polling places.

AN ACT

To amend and reenact R.S. 15:571.3, R.S. 15:574.2, R.S. 15:574.4, and R.S. 15:574.7, relative to parole and good time; to enact R.S. 15:5__ et seq. relative to the Mercy Act correctional framework; to amend and reenact Code of Criminal Procedure Articles 878.1

and 890.1 and to enact Code of Criminal Procedure Articles 878.2, 890.4, and 930. __ relative to maximum sentence limits, release eligibility, and retroactivity; to enact Title 18 voting provisions for incarcerated voters; to repeal all laws or parts of laws in conflict; and to provide for related matters.

SECTION 1. ENACTMENT OF THE MERCY ACT (NEW LAW)

Enact R.S. 15:5 __ through 15:5 __ to read as follows:

§15:5 __. Short Title

This Part shall be known and may be cited as “The Mercy Act.”

§15:5 __. Legislative Findings; Purpose

A. The legislature finds that rehabilitation-centered correctional systems reduce recidivism, improve safety, and reduce costs.

B. The purpose of this Part is to ensure incarceration in Louisiana is structured for rehabilitation, reintegration, and human dignity, and that release decisions are evidence-based and depoliticized.

§15:5 __. Definitions

For purposes of this Part:

1. “Nordic rehabilitation framework” means a corrections model emphasizing normalization, education, therapy, incentives, and step-down reintegration.
2. “Rehabilitation and Reintegration Plan (RRP)” means an individualized plan required for each incarcerated person.
3. “Expert Release Panel” means a multidisciplinary panel of licensed or certified professionals tasked with release determinations.
4. “Socially disadvantaged person” and “social exclusion” shall have the meanings set forth in this Act and include persons subject to structural poverty, discrimination, housing instability, foster care displacement, educational exclusion, and intergenerational trauma, including descendants of persons enslaved in the United States.

§15:5 __. Rehabilitation and Reintegration Plan Required

A. The department shall issue an RRP for each incarcerated person within 60 days of intake.

B. The RRP shall include education, vocational training, therapeutic programming, reentry housing/employment planning, and measurable milestones.

C. Denial of access to RRP-required programming due to staffing, overcrowding, or institutional limitations shall constitute a violation of law enforceable under §15:5__.

§15:5__. Program Integrity and Staffing

A. The department shall employ qualified staff including educators, counselors, social workers, substance-use specialists, vocational instructors, and case managers.

B. There is created the Program Integrity and Outcomes Unit, tasked with auditing program quality and publishing annual outcome reports.

§15:5__. Incentives; Mercy Incentive Ladder

A. The department shall implement an incentive ladder allowing earned benefits based on measurable progress, including:

- earned time credits,
- expanded visitation and community interaction,
- furlough eligibility,
- conjugal visits,
- placement in reintegration units,
- conditional release eligibility.

B. Incentives shall be awarded pursuant to objective criteria and shall not be withheld arbitrarily.

§15:5__. Voting Rights Access

A. The department shall coordinate with the secretary of state to ensure eligible incarcerated voters can cast ballots through:

- transportation to polling locations; or
- secure on-site voting stations; or
- ballot delivery with chain-of-custody safeguards.

SECTION 2. MAXIMUM SENTENCE CAP AND UNIVERSAL RELEASE ELIGIBILITY (CCrP)

Amend and reenact C.Cr.P. Art. 878.1 and enact C.Cr.P. Art. 878.2.

Art. 878.1. Prohibition on permanent imprisonment; universal release eligibility

A. No person shall be sentenced to imprisonment for life without possibility of parole, probation, or suspension of sentence.

B. Every sentence of imprisonment shall provide for the possibility of eventual release.

Art. 878.2. Maximum term of imprisonment

A. Except as provided in Paragraph B, no sentence of imprisonment shall exceed fifteen years.

B. A term up to twenty years may be imposed only upon written findings that:

- the state proved by clear and convincing evidence that the person poses an ongoing and grave risk of severe harm, and
- the court considered individualized evidence including rehabilitation potential and reintegration plan.

SECTION 3. SENTENCING STRUCTURE + REHABILITATION FINDINGS (CCrP)

Amend and reenact C.Cr.P. Art. 890.1 and enact C.Cr.P. Art. 890.4.

Art. 890.1. Sentencing guidelines; individualized consideration

(Existing language retained to extent not in conflict.)

E. When imposing sentence, the court shall consider rehabilitation potential, social disadvantage factors, and the defendant's reentry pathway, and shall include written findings that the sentence imposed conforms to the Mercy Act.

Art. 890.4. Mercy Act Sentencing Statement

A. In any felony case, the sentencing court shall issue a Mercy Act statement identifying:

- the statutory maximum term under Art. 878.2;
- the earliest date of mandatory parole eligibility;
- required RRP programs;
- reentry milestones.

SECTION 4. RETROACTIVITY + AUTOMATIC SENTENCE REVIEW

Enact C.Cr.P. Art. 930.___ (Mercy Act resentencing)

Art. 930.___. Mercy Act resentencing; retroactive application

A. The provisions of Articles 878.1 and 878.2 shall apply retroactively to all persons incarcerated on the effective date of this Act.

B. The Department shall identify all individuals:

- serving life sentences, or
- serving sentences exceeding fifteen years.

C. Each identified individual shall receive an automatic sentence review hearing within twelve months.

D. The court shall resentence the individual to conform to the Mercy Act.

SECTION 5. ABOLITION OF DISCRETIONARY PAROLE + CREATION OF MANDATORY PAROLE

Amend and reenact R.S. 15:574.2 and R.S. 15:574.4.

R.S. 15:574.2. Parole eligibility; mandatory parole

A. Notwithstanding any other provision of law, parole eligibility shall apply to all offenses.

B. Parole shall be mandatory upon satisfaction of:

- RRP milestones,
- completion of required programming,
- risk/needs reduction criteria,
- disciplinary compliance.

C. No parole decision shall be based on political considerations.

R.S. 15:574.4. Conditional release; intensive parole

A. Conditional release is created for persons needing transitional supports including housing, treatment, or structured stabilization.

B. Intensive parole is created for persons requiring enhanced supports and monitoring.

C. Conditions shall be individualized and geared toward successful reintegration.

SECTION 6. EXPERT RELEASE PANELS (REPLACING POLITICAL PAROLE CONTROL)

Enact R.S. 15:574.7(A)(new) and amend the remainder.

R.S. 15:574.7. Expert Release Panels

A. Release determinations shall be made by Expert Release Panels composed of:

- a licensed mental health professional,
- a licensed social worker or counselor,
- an education/vocational specialist,
- a validated risk assessment specialist,

- a reentry housing/employment coordinator.

B. Panels must issue written reasons for any denial or deferral and provide a corrective milestone plan.

C. Elected officials shall not serve on panels and shall not control release outcomes.

SECTION 7. GOOD TIME / EARNED TIME EXPANSION (INCENTIVE LADDER)

Amend and reenact R.S. 15:571.3.

R.S. 15:571.3. Earned time; Mercy credits

A. Earned time shall be awarded for:

- completion of education milestones,
- vocational certification,
- therapy and behavioral programs,
- restorative accountability milestones,
- stable conduct.

B. Earned time shall apply toward:

- sentence reduction, and
- advancement into reintegration units and release pathways.

C. Earned time shall not be denied arbitrarily and shall be reviewable.

SECTION 8. FAMILY UNITY PROVISIONS (CONJUGAL VISITS + FURLOUGHS)

Enact R.S. 15:5__ (Conjugal/Furlough).

§15:5__. Conjugal visits and furloughs

A. Conjugal visits shall be permitted for eligible persons based upon:

- risk assessment,
- RRP completion milestones,
- facility conduct.

B. Furloughs shall be authorized for reintegration purposes including:

- job placement,
- education enrollment,
- housing transitions,
- family stabilization.

SECTION 9. CORRECTIONAL FACILITY OCCUPANCY CAPS / OVERCROWDING

Enact R.S. 15:5__ (Occupancy Caps).

§15:5__. Overcrowding elimination

A. The department shall establish occupancy caps for facilities and shall not exceed them.

B. Where caps are threatened, the department shall prioritize:

- mandatory parole,
- conditional release,
- earned credits release acceleration.

C. Overcrowding shall constitute a compliance violation subject to enforcement.

SECTION 10. TITLE 18 – VOTING ACCESS FOR INCARCERATED PERSONS

Enact R.S. 18:13__ et seq. (Incarcerated Voting).

R.S. 18:13__. Voting access in correctional facilities

A. The secretary of state shall implement secure voting access for eligible incarcerated voters through:

- on-site polling, or
- supervised transportation, or
- secured ballot delivery.

B. The department shall permit registration assistance and nonpartisan voter education.

SECTION 11. ENFORCEMENT / PRIVATE RIGHT OF ACTION

Enact R.S. 15:5__ (Enforcement).

§15:5__. Enforcement

A. Any person denied rights under this Act may seek declaratory and injunctive relief.

B. Prevailing parties may recover attorney fees and costs.

C. Courts shall construe this Act broadly to effectuate rehabilitation, dignity, and reintegration.

SECTION 12. REPEAL / CONFLICT CLAUSE

All laws or parts of laws in conflict with this Act are hereby repealed, including any provisions authorizing:

- life imprisonment without parole, probation, or suspension;
- parole denial schemes that function as permanent imprisonment;
- parole decision-making controlled by elected officials.

SECTION 13. SEVERABILITY

If any provision of this Act is held invalid, the remainder shall remain in effect.

SECTION 14. EFFECTIVE DATE

This Act shall take effect August 1, 2026.