



A Primer on Parole in Illinois

April 2018

In 1978, Illinois abolished discretionary parole system. Today, it remains one of just sixteen states (plus the District of Columbia) without any means for incarcerated people to earn parole. While not the only factor, the abandonment of parole has contributed directly to increased sentence lengths and more crowded prisons.

I. What is parole?

Parole describes the practice of releasing inmates before the completion of their maximum, court-appointed sentence. These released individuals—or parolees—then serve the remainder of their sentence under a period of supervised and conditional release, during which failure to follow certain rules may lead to the revocation of parole.

There are two types of parole—discretionary and mandatory—that differ in how release is granted.

In discretionary systems, release is granted following a decision by a parole board, which grants or withholds parole based on its assessment of individual cases.

In contrast, mandatory systems automatically release individuals to parole (i.e. without a hearing) when certain legally binding conditions are met. This type of parole is reserved for individuals serving time for less serious offenses. Mandatory parole can also describe the practice of automatically releasing individuals to serve a pre-set final portion of a court-appointed sentences (e.g. the last 6 months) outside prison walls and under supervision.

Parole is related to the concepts of **indeterminate and determinate sentencing**. When a person is eligible for discretionary parole, they receive an indeterminate sentence range (e.g. 3 to 7 years, 45 to 170 years). Individuals become eligible for parole at the minimum of the sentence range and may remain behind bars without being granted parole for up to the maximum for the range, after which they are automatically released.

In contrast, determinate sentences are set terms (e.g. 8 years, 30 months). Because they are predetermined, individuals given determinate sentences cannot earn parole, though they still be released earlier than their court-appointed term through other mechanisms.

Other types of supervised or early release

Sometimes, the term “parole” is used to refer to other mechanisms of early release, or other types of post-prison supervision. A number of these practices—and how they differ from parole—are described below:

- **Post-sentencing judicial review.** Generally, a judge’s sentence is final and immutable. Sometimes, however, states may allow some individuals to receive a modified sentence. These reviews are often limited to individuals who meet certain narrow criteria. For instance, the Supreme Court case *Miller v. Alabama* (and the following *Montgomery v. Louisiana* cases) outlawed the sentencing of children to mandatory life without parole and required all individuals serving that

sentence to receive new modified sentences. In Illinois, this amounted to roughly one hundred people.

This process is distinct from parole, which does not change the base sentence but rather where and how a sentence is served. Perhaps more saliently, these types of review are often narrow, making them a less common pathway for early release versus parole.

- **Executive pardons and commutation.** Governors have the power to pardon or commute the sentences of inmates held in state prison. Governors may elect to reduce an inmate's sentence down to "time served," effectively releasing the inmate. Other times, governors can shorten but not fully commute a sentence to a point where the inmate serves a shortened period behind bars. In Louisiana, for instance, governors can alter life sentences to termed, non-life sentences (e.g. fifty years), which allows those inmates to be eventually released, potentially through discretionary parole. As a release mechanism pardons and commutations are powerful. However, they are granted relatively rarely and alter base sentences, unlike parole.
- **Mandatory supervised release (MSR).** In Illinois, individuals convicted of certain offenses must serve a mandatory period of post-prison supervision known as MSR. Individuals under MSR must follow the same rules and conditions as parole and may be returned to prison for violating those terms.

Unlike parole, MSR terms are always served after the full completion of a court-appointed prison sentence. In this way, MSR functions as an *additional* penalty for serious crimes and never as a means of early release. For that reason, it is misguided to consider MSR an appropriate substitute for either discretionary or mandatory parole.

II. Reducing repeat crimes or reducing recidivism: not the same thing

When state legislatures across the nation began abolishing parole in the late 1970s, their rationale was often that parole failed to increase public safety or reduce repeat offenses. And indeed, old data plus a few isolated cases of parolees committing new serious crimes did seem to suggest the inefficiency of parole.

More up-to-date research now shows discretionary parole can effectively reduce the likelihood of new crimes. The [Pew Charitable Trusts](#) found that parolees in New Jersey were 36 percent less likely to commit new crimes and return to prison compared to "max-outs," or individuals released at the end of their term and without parole supervision. Separately, a 2005 study by the [Urban Institute](#) compared the benefits of discretionary parole to both unconditional releases and mandatory parole.¹ The authors of the Urban study found that for black men with few prior arrests and women, parole could reduce the predicted likelihood of their rearrest by up to 20 and 34 percentage points, respectively, compared to unconditional release.

Technical violations, not new crimes, drive most of parole rearrests

¹ In Illinois, mandatory supervised release (MSR) may be considered mandatory parole, since MSR individuals must follow the same parole guidelines as Illinois' handful of discretionary parolees.

Some studies suggest parole does not effectively reduce recidivism. These studies point to the comparable rates of recidivism between parolees and individuals released without supervision at the end of their prison terms.

But recidivism definitions are inconsistent. Some sources of data fail to differentiate technical violations from new crimes, rearrests from returns to prison, or new felony convictions from new misdemeanor convictions (for more on the topic of recidivism, you can check out our resource on understanding recidivism).

Only parolees and other individuals under parole-like supervision may be arrested and returned to prison for technical violations. This can include missing an appointment with a parole officer, alcohol consumption, or failing to find a suitable home.

When data sources distinguish between technical violations and other offenses, the benefits of parole become clearer. For instance, in their [2015 report](#), the Bureau of Justice Statistics (BJS) reported that while 34 percent of Illinois' over 24,300 individuals exiting² mandatory supervised release (MSR) or parole returned to prison, only 1 in 5 of these individuals were re-imprisoned for new crimes. That means that for all individuals in Illinois exiting parole-like supervision in 2015, only about 7 percent were reincarcerated for new offenses.

These data are especially noteworthy when one considers that the majority of “parolees” in Illinois are on MSR and not parole. This means that most of these released individuals were not granted release based on a careful assessment of their likelihood to reoffend.

People convicted of violent offenses are less likely to reoffend

Many express concern that granting parole to individuals convicted of violent offenses means that—should they offend—these individuals will inevitably commit new violent crimes. But the data tells another story.

Table 1 reports data from BJS on the rates at which individuals with different types of prior offense are rearrested, reconvicted or sent back to prison for new felony sentences within 3 years.³

Table 1. Rates of rearrest, reconviction and returns to prison with new sentence within 3 years, stratified by number of prior arrests and offense type

	Rearrested (any reason)	Reconvicted (misdemeanor or felony)	Returned to prison
<2 prior arrests			
Homicide	29.8%	13%	6.9%
Rape/Sexual assault	27.8%	13.9%	7.4%
All other violent crime ⁴	50.2%	31.6%	16.1%

² Generally, individuals “exit” parole or mandatory supervised release when they complete their assigned supervisory period or are returned to incarceration.

³ The rate of reimprisonment is distinct from the rate of reincarceration. Reimprisonment only counts returns to prison, whereas the rate of reincarceration counts returns to either jail or prison.

⁴ Includes robbery and assault, among others; excludes rape and sexual assault.

All property crime ⁵	57.6%	38.6%	22.6%
Drug poss./traffic	39.2%	23.7%	13.5%
2 or more prior arrests			
Homicide	47.1%	25.3%	14%
Rape/Sexual assault	52%	31%	15.5%
All other violent crime	71.6%	48.5%	25.8%
All property crime	75.5%	55.2%	32.4%
Drug poss./traffic	69.7%	49.3%	26.6%

Note: Data were sourced from the BJS Prisoner Recidivism Analysis Tool of 1994. A more recent 2005 dataset from BJS only reported rates of rearrest and provides no data on rates of reconviction or reimprisonment.

These data suggest that:

- Regardless of the number of prior arrests, **people convicted of violent crimes are less likely to return to prison for a new sentence** than those convicted of property crimes.
- While often considered the most irredeemable, **individuals convicted of murder are least likely to return to prison with new convictions**, especially if they had few prior arrests.
- **Regardless of offense type**, individuals with fewer prior arrests are less likely to recidivate compared to those with more prior arrests.

What about the relationship between a person's original offense and subsequent ones? When they do commit new crimes, are people previously convicted of violent offenses more likely to commit new violent felonies upon release?

A study on from BJS sought to answer this question by examining the correlation between a person's original committing offense and arrests for subsequent, post-release offenses. **Table 2** recreates a BJS table on 5-year rearrest rates for prisoners from 30 states, broken out by original and post-release offense.

Table 2. Rate at which individuals are rearrested within 5 years for certain types of offense, based on type of original committing offense

Original Offense	Percent of released prisoners arrested within 5 years for a...			
	Violent offense	Property offense	Drug offense	Public order offense
Violent	33.1%	29.7%	28.2%	55.3%
Property	28.5%	54.0%	38.5%	61.9%
Drug	24.8%	33.1%	51.2%	56.1%
Public Order	29.2%	32.7%	30.0%	59.6%

Note: Data were drawn from the BJS Special Report on *Recidivism of Prisoners Released in 30 States in 2005: Patterns from 2005 to 2010*.

⁵ Includes burglary, larceny/theft and motor vehicle theft, among others

Recall that rearrests do not automatically equate to new convictions or prison terms (as evidenced in **Table 1**).

No matter what an individual's original offense, BJS found that the most serious offense for over half of all rearrested individuals were for public order offenses, which include disorderly conduct, loitering, and similar crimes.

And while those convicted of violent crimes were more like than other individuals to be rearrested for a violent offense, they are also less likely than individuals convicted of property crimes from reoffending in the first place.

Parole supervision costs less than incarceration

According to [a 2015 spokesperson](#) from the Illinois Department of Corrections, it costs Illinois roughly \$22,000 to house an inmate for one year, compared to the \$2,000 it costs annually to place that person on parole. This lines up with national data from a Pew study that put the cost of placing a person behind bars for a single day is on par with 10 days of parole supervision.

III. Designing parole systems: how other states do it

Among the 33 states that offer parole, there is wide variation in how parole systems operate. States differ in how they define parole eligibility, and how they address re-hearings following a decision by the board to deny parole. Still, a number of trends are evident:

- Of the 33 states that offer parole, **18 do NOT automatically exclude individuals convicted of homicide from earning parole**, while 15 do.
- With few exceptions, **states with parole permit individuals convicted of violent, non-homicide offenses to earn parole.**
- Many states with parole restrict eligibility in cases of repeat serious offenses.
- Many states do not limit the number of times a person's case may be re-heard.
- Some states have established **special avenues for children and young people to earn parole where they otherwise would not be eligible.**

Are individuals convicted of violent offenses eligible for parole in these states?

States diverge on how individuals convicted of violent offenses are treated in terms of parole eligibility. Overall, many (but not all) of states require individuals to serve a longer portion of their court-dispensed sentence behind bars (as can be seen in the above examples). That said, most states do not allow parole for individuals who receive convictions for separate violent offenses.

A few more examples:

- **Connecticut.** In Connecticut, individuals convicted of one of four violent offenses—murder, capital felony murder, arson murder, and first-degree aggravated sexual assault—are parole-ineligible.
- **Iowa.** While most individuals must serve one-third of their indeterminate sentence behind bars before becoming parole-eligible, individuals sentenced for a number of violent offenses—including second-degree murder, attempted murder, and first-degree robbery—only become eligible after serving 70 percent of their sentence.

Individuals convicted of attempted murder of a peace officer and murder committed by non-juveniles are parole-ineligible.

- **Nevada.** Nevada does not exclude individuals from parole eligibility based on nature of offense, unless those individuals are condemned to death or sentence to life without the possibility of parole.

How many times and how regularly may a person be reconsidered for parole following a denial in states that offer parole?

With few outliers, most states with parole do not limit the number of times a case can be reheard following a parole denial. Rather, reconsideration is restricted more by the limitations states place on the period of time individuals must wait before applying for re-hearing. Some states grant parole boards the authority to determine that period, while others designate a time window.

A few examples:

- **California.** When California's parole board chooses to deny parole, it also establishes the period until an individual's case can be reheard. The parole board is allowed to set a period of 3, 5, 7, 10 or 15 years, though inmates can file petitions for earlier parole reconsideration.
 - *Similar states:* Connecticut also grants its parole board the authority to set the period until a future re-hearing. Unlike California, however, Connecticut's parole board may choose to indefinitely deny further hearings. Missouri's parole board also assigns wait periods following denial, on the order of 1 to 5 years.
- **Georgia.** For non-life sentences, individuals are automatically reconsidered for parole every 5 years following a denial; individuals serving life are reconsidered every 8 years.
 - *Similar states:* West Virginia permits annual re-hearings for most sentences, and every 3 years for life sentences. Once a person has served their mandatory minimum, Iowa requires annual re-hearings for individuals denied parole, unless that person is serving a life sentence.
- **Louisiana.** Following a denial, individuals may request a re-hearing after (1) six months for non-violent offenses; (2) annually for violent offenses; or (3) two years for sex offenses murder, or manslaughter. Requests do not guarantee a re-hearing, and requests may be denied for **up to ten years**, after which an individual's case for parole must be reconsidered.

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What sort of youth-specific parole (or parole-like) systems exist in other states?

Many states have enacted policies that provide special consideration to individuals who enter prison as young people. A few examples:

- **California.** Individuals serving long sentences for offenses committed **before age 23** become eligible for parole review after 15, 20, or 25 years served. This program excludes individuals serving sentences for certain sex offenses or multiple prior violent felonies.
- **Connecticut.** As of 2015, Connecticut retroactively granted parole eligibility to individuals who entered prison **before age 18 with sentences of 10 years or longer.** For individuals serving sentences 50 or less years, parole eligibility is granted after the longer of 60% of sentence served or 12 years; individuals serving longer sentences become eligible after 30 years.

- **Florida.** For juveniles sentenced to life, Florida grants eligibility for a post-sentencing judicial review after 15, 20, or 25 years served, depending on the offense. While similar in some ways, post-sentencing review is not the same as parole, since the granting of parole does not change the original sentence. Individuals granted a reduced sentence under this program must serve a mandatory probation period of up to 5 years.
- **Iowa.** In Iowa, individuals convicted of first-degree murder or sexual assault leading to serious injury are ineligible for parole **unless the individual was under 18 at the commission of offense, in which case parole eligibility is granted at 25 years.**

IV. Sources

A special thanks to Jean Snyder and the team at Project 1-11.

Illinois Sentencing Policy Advisory Council, *Illinois Results First: The High Cost of Recidivism*. (Springfield, IL: Illinois Sentencing Policy Advisory Council, 2015).

http://www.icjia.state.il.us/spac/pdf/Illinois_Results_First_1015.pdf.

The Pew Charitable Trusts, *The Impact of Parole in New Jersey* (Washington, DC: The Pew Charitable Trusts, November 2013).

http://www.pewtrusts.org/~media/legacy/uploadedfiles/pes_assets/2013/psppnjparolebrief.pdf.pdf

Solomon, A., Kachnowski, V. and Bhati, A., *Does Parole Work? Analyzing the Impact of Postprison Supervision on Rearrest Outcomes* (Washington, DC: The Urban Institute, March 2005). http://webarchive.urban.org/UploadedPDF/311156_Does_Parole_Work.pdf.

Mills. S., "State keeps 1,250 parolees behind bars due to housing shortage" (Chicago, IL: Chicago Tribune, January 2015). <http://www.chicagotribune.com/news/local/ct-violating-at-the-door-met-20150125-story.html>

Kaeble, D. and Bonczar, T., *Probation and Parole in the United States, 2015* (Washington, DC: U.S. Department of Justice, February 2017).

<https://www.bjs.gov/content/pub/pdf/ppus15.pdf>.

Shihadeh, E., Nordyke, K., and Reed, A., *Recidivism in the State of Louisiana: An analysis of 3- and 5-year Recidivism Rates Among Long-Serving Offenders* (Baton Rouge, LA: Louisiana State University, August 2013).

Alper. M., *By the Numbers: Parole Release and Revocation Across 50 States* (Minneapolis, MN: University of Minnesota Law School, April 2016).

<https://robinainstitute.umn.edu/publications/numbers-parole-release-and-revocation-across-50-states>.

Thomas, J., Slaughter, C., and Shone, Meaghan, *State of Montana Board of Pardons and Parole: 2015 Biennial Report* (Deer Lodge, MT: Montana Board of Pardons and Parole, January 2015).

Pew Center on the States, *One in 31: The Long Reach of American Corrections* (Washington, DC: The Pew Charitable Trusts, March 2009).

http://www.pewtrusts.org/~media/assets/2009/03/02/pspp_1in31_report_final_web_32609.pdf

Appendix A. Rules for parole eligibility and consideration in select states

	Requirements for parole eligibility	Offenses excluded?	Violent included ?	How many chances for consideration ?	Wait time after denial?
California	<p>Prop 57: eligible after having served the “full term of their primary offense,” excluding imposition of an enhancement, consecutive sentence, or alternative sentence⁶</p> <p>SB 260/261: For individuals who commit crimes up to age 22, eligibility after serving 15, 20, or 25 years⁷ for non-LWOP offenses; 15 years for anyone with no non-life sentences, 20 or 25 based on longest other life sentence (if less than 25-to-life, eligible after 20)</p> <p>Elderly: available to inmates over age 60 who have served 25 years of a determinate OR indeterminate sentence⁸ (excluding death row, life without parole sentences)</p>	<p>Prop 57: Individuals on death row, serving life without possibility of parole, individuals serving sentences for violent felonies (or who previously completed a violent felony sentence) or sex offenses⁹</p> <p>SB 260/261: Excludes individuals sentenced under “3 strikes” or “2 strikes” violent offense laws, or “1 strike” sex offense laws; or individuals who committed a new crime after age 23 and given a life sentence, or if the crime was murder, assault with a deadly weapon likely to produce bodily injury committed while serving a life sentence</p>	<p>Prop 57: NO; violent offenses are explicitly excluded</p> <p>SB 260/261: YES</p> <p>Elderly: YES</p>	There does not appear to be a limit	When denied, board decides to deny for 3, 5, 7, 10, or 15 years ¹⁰ ; inmates may file petitions to advance (receive re-hearing) every 3 years
Connecticut	<p>Eligible after 50% time served for non-violent offenders; 85% time served for violent offenders¹¹; for either category, after at least 2 years and 1 day served</p> <p>As of 2015, individuals sentenced as juveniles to 10-50</p>	Murder, capital felony murder, arson murder, first degree aggravated sexual assault ¹³	Some (see excluded offenses)	No guarantee of additional chances. When denied, the panel “will further determine, <i>if</i> , and when, the inmate may re-apply” (emphasis added); however, new hearings may be requested—though not necessarily granted—following “extenuating circumstances”	<p>No guarantee; parole board may determine that no further chances will be provided</p> <p>Juveniles serving long sentences may receive re-hearings at least 2 years after the original parole</p>

	years retroactively become eligible after serving the longer of 12 years or 60% of sentenced; individuals sentenced as juveniles to 50+ years become retroactively eligible after 30 years served ¹²			that include deterioration of health and “new information of compelling nature” ¹⁴	denial, not subject to appeal; no guarantee of re-hearing.
Florida	Like Illinois, Florida is primarily a determinate sentencing state; however, it does provide post-sentencing review for some juveniles. After 15, 20, or 25 years served—based on offense—juveniles sentenced to life receive a guaranteed, post-sentencing judicial review (not specifically parole). ¹⁵	No offenses bars juveniles from receiving post-judicial review, but individuals who were previously convicted of <i>another</i> prior serious offense are excluded. ¹⁶	YES	There does not appear to be a limit... but I’m not sure whether standard rules apply for the juveniles	For the remaining individuals still serving indeterminate sentences: every 7 years for murder, attempted murder, sexual battery, or attempted sexual battery, or any inmate who has been sentenced to a 25-year minimum mandatory sentence; or 2 years for all other crimes ¹⁷
Georgia	15-26 months for lowest level crimes up to 90% of prison sentence or ineligible; ¹⁸ or 33% of sentence ¹⁹ ; after 14 years (or 30 if committed	Non-life sentences for serious violent felony committed after January 1, 1995 (life sentences for these offenses are eligible on	YES	There does not appear to be a limit	Every 5 years for non-life sentences, every 8 years for life sentences ²¹

⁶ <https://www.cdcr.ca.gov/proposition57/docs/FAQ-Prop-57-Nonviolent-Parole-Process.pdf>

⁷ <http://prisonlaw.com/wp-content/uploads/2016/05/SB-260-261-Youth-Offender-Parole-Guide-w-ltr.pdf>

⁸ https://www.cdcr.ca.gov/BOPH/docs/Policy/Elderly_Parole_Program_Overview.pdf

⁹ <https://www.cdcr.ca.gov/proposition57/docs/FAQ-Prop-57-Nonviolent-Parole-Process.pdf>

¹⁰ https://www.cdcr.ca.gov/Victim_Services/parole_process.html

¹¹ Manslaughter, assault, strangulation, sexual assault, kidnapping, home invasion, burglary, arson, robbery, assault of policeman/fireman, prison rioting

¹³ <http://www.ct.gov/bopp/cwp/view.asp?a=4330&q=508186>

¹⁴ <https://www.cga.ct.gov/2015/ACT/pa/pdf/2015PA-00084-R00SB-00796-PA.pdf>

¹² <http://www.ct.gov/doc/lib/doc/pdf/paroleGuide.pdf>

¹⁵ <https://www.flsenate.gov/Session/Bill/2014/7035/BillText/er/PDF>

¹⁶ Murder, manslaughter, sexual battery, armed burglary/robbery/carjacking, home-invasion robbery, human trafficking for commercial sexual activity with child, false imprisonment, kidnapping.

¹⁷ http://archive.flsenate.gov/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0900-0999/0947/Sections/0947.174.html

¹⁸ <https://pap.georgia.gov/sites/pap.georgia.gov/files/ParoleConsideration/Post%202006%20CSL%20chart.pdf>

¹⁹ <https://pap.georgia.gov/parole-process-georgia-0>

²¹ https://pap.georgia.gov/frequently-asked-questions-0#field_related_links-103-3

	after July 1, 2006) for life sentences for sexual battery, child molestation, sodomy (all aggravated), armed robbery, kidnapping, rape, or murder	different time-line); fourth-time repeat offenders; individuals sentenced to life without parole ²⁰			
Iowa	At least the mandatory minimum or one-third of maximum indeterminate sentence ²² ; 50% of maximum indeterminate for repeat forcible felons ²³ or for manufacture/delivery/possession of certain controlled substance amounts; 70% of sentence for second-degree murder, attempted murder, 2 nd degree sexual abuse or kidnapping, 1 st degree robbery; vehicular homicide ^{24,25} ; 25 years for individuals who commit "class A" felonies before age 18	Attempted murder of a peace officer; first-degree murder committed by non-juveniles	YES	There does not appear to be a limit	Once mandatory minimum is served, re-hearings occur annually; no secondary review for individuals serving life sentences
Louisiana²⁶	25% of time served for most first felony offenses ²⁷ ; 33% for violent/sex offenses ²⁸ ; 50%	Individuals serving sentences for a third felony (habitual offender); serial sexual offenders;	YES	There does not appear to be a limit	May request new hearings 6 months after denial for non-violent, 1 year for other

²⁰ <https://pap.georgia.gov/parole-process-georgia-0>

²² <https://www.legis.iowa.gov/docs/publications/LGI/87/HF579.pdf>

²³ <https://law.justia.com/codes/iowa/2016/title-xvi/chapter-902/section-902.11/>

²⁴ <https://www.legis.iowa.gov/docs/code/2015/902.12.pdf>

²⁵ <https://www.legis.iowa.gov/DOCS/Central/Guides/LBB/70percent.pdf>

²⁶ <http://doc.louisiana.gov/parole-and-pardon-board-policies/>

²⁷ <https://law.justia.com/codes/louisiana/2016/code-revisedstatutes/title-15/rs-15-574.4>

²⁸ **Violent:** Murder (1st, 2nd, solicitation for, manslaughter), battery (aggravated, 2nd), assault, rape (aggravated/1st, forcible/2nd, simple/3rd), sexual battery, intentional exposure to AIDS virus, kidnapping (aggravated, 2nd, simple), aggravated arson, aggravated criminal damage to property, aggravated burglary, robbery (armed, 1st, simple), purse snatching, assault by drive-by shooting, aggravated crime against nature, carjacking, terrorism, aggravated 2nd degree battery, aggravated assault (upon peace officer; with a firearm), robbery (armed, 2nd), disarming of peace officer, stalking, 2nd degree cruelty to juveniles, aggravated flight from an officer, battery of a police officer, trafficking of children for sexual purposes, human trafficking, home invasion, domestic abuse aggravated

	for second felony offenses unless 10 or more years have expired and end of previous sentence (then it's 33%), not applicable to violent/sex offenses; consideration for inmates 45 and older after 25 years served for 30+ year non-life sentences (excludes violent/sex); 15 years for heroin-related life sentences; at age 60 after 10 years served (sex/violent excluded); 18-25 year-olds sentenced to life after serving 25 years for non sex/violent ²⁹ ; for juveniles serving life, eligible after 30 years served or 35 for 1 st /2 nd degree murder				violent, and 2 years for sex offense, murder, and manslaughter; ³⁰ however, these re-hearing requests can be denied for up to 10 years, after which they must be reheard ³¹
Missouri	33% time served for sexual/child abuse and violent offenses; at least 15 years served for offenders serving life or consecutive sentences of 45 years or more; lesser offenses after 15, 20, or 25% time served; superseding all, individuals who entered under age 18 may petition	Parole Board may elect to withhold granting a parole eligibility date to individuals serving multiple life sentences or life sentences plus other concurrent/consecutive sentences – not based on offense alone; ³² these are all case-by-case, however, and there are no laws	YES	There does not appear to be a limit	Between 1-5 years

assault, drunk vehicular homicide, aggravated assault of a dating partner
<https://legis.la.gov/Legis/Law.aspx?d=78337>)

Sex: Rape (1st, 2nd, 3rd, forcible, simple), sexual battery, kidnapping (various), aggravated crime against nature, molestation of child with physical/mental disability, sexual battery of person with infirmities, trafficking of children for sexual purposes or human trafficking, purchase of commercial sexual activity with juvenile/victim of human trafficking (<http://www.legis.la.gov/Legis/Law.aspx?d=79160>)

²⁹ <https://law.justia.com/codes/louisiana/2016/code-revisedstatutes/title-15/rs-15-574.4>

³⁰ <http://doc.louisiana.gov/media/1/2015/09/07-705-POL-APPLICATION-FOR-REHEARING-September-2015.pdf>

³¹ <http://doc.louisiana.gov/media/1/2015/09/07-705-A-DIR-REHEARING-GUIDELINES-September-2015.pdf>

³² <https://doc.mo.gov/Documents/prob/Blue-Book.pdf>

	for parole after 25 years served	that automatic offense-based ineligibility			
Montana	25% of time served, automatically considered; or 30 years for life sentences ³³	Individuals sentenced to death and life without parole; or two separate convictions ³⁴ for deliberate homicide, aggravated kidnapping, sexual intercourse without consent, sexual abuse of children, or ritual abuse of a minor; or three separate convictions for mitigated deliberate homicide, aggravated assault, kidnapping, robbery, or aggravated promotion of prostitution	YES (only repeat violent offenses exclude eligibility)	There does not appear to be a limit	Reviews up to every 6 years for individuals with 10+ years left of sentence; annual reviews for inmate with <5 years left of sentence, every 3 years for inmate with 5-10 years left of sentence ³⁵
Nevada	Eligible after one-third of time served for any individuals sentenced before July 1, 1995; after July 1, 1995, courts allowed to set parole eligibility date at ANY point from twelve months served at minimum to 40% of maximum sentence Assembly Bill 267: In 2015, Nevada passed a bill granting parole eligibility to all individuals	There do not appear to be any ineligibilities (1 st degree murder cases are up for parole review ³⁷) Assembly Bill 267: Juveniles convicted of offenses leading to the death of multiple people are ineligible for relief under the bill.	YES	There does not appear to be a limit	Generally, up to 3 years ³⁸ or up to 5 years for inmates with 10+ years remaining on sentence, as long as the “bump” does not extend past the expiration date (maximum sentence minus credit)

³³ http://leg.mt.gov/bills/mca/title_0460/chapter_0230/part_0020/section_0010/0460-0230-0020-0010.html

³⁴ http://leg.mt.gov/bills/mca/title_0460/chapter_0180/part_0020/section_0190/0460-0180-0020-0190.html

³⁵ <http://www.mtrules.org/gateway/ruleno.asp?RN=20%2E25%2E402>

³⁷

<http://parole.nv.gov/uploadedFiles/parolenvgov/content/Eligibility/February%202018%20FINAL%20Parole%20Eligibility%20List.pdf>

³⁸ <https://www.leg.state.nv.us/73rd/Interim/Studies/Pardons/exhibits/19803G.pdf>

**West
Virginia
(effective
date
2006)³⁹**

<p>sentenced for non-homicide offenses committed before age 18 after serving 15 years, or serving 20 years for homicide offenses³⁶</p>				
<p>Eligible after 25% of time served for determinate sentences, or the minimum of sentencing range for indeterminate sentences Requires 3 years served for drug offenses near schools; one-third or 5 years of sentence for armed robbery with firearm; 3 years for other firearm-assisted felonies; 10 years for sentences of “Life with Mercy”; 15 years for sentence of “Life with Mercy” for 1st degree Murder; 15 years for sentence of “Life with Mercy” for three-time offenders with caveat (see excluded offenses);</p> <p>For concurrent sentences, longest of minimums applies; for consecutive, sum of minimums</p>	<p>Repeat offenders who have been convicted multiple times for first- or second-degree murder; parolees who commit and confess to treason, 1st or 2nd degree murder, armed/aggravated robbery, rape, or 1st degree sexual assault, sodomy, or incest</p>	<p>YES</p>	<p>There does not appear to be a limit</p>	<p>No more than 12 months after first denial, and every 12 months thereafter; 36 months for “Life with Mercy” sentences</p>

³⁶ https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB267_EN.pdf

³⁹

<https://paroleboard.wv.gov/SiteCollectionDocuments/West%20Virginia%20Parole%20Board%20Procedural%20Rules.pdf>