



February 5, 2016

TO: Rep. Peg Flory, Chair
Rep. John Rodgers, Vice-Chair
Senate Committee on Institutions

FROM: Auburn Watersong, Associate Director of Public Policy

RE: S.207 – Compassionate Release

Thank you for the opportunity to submit testimony on S.207, a bill proposing to establish a judicial procedure to allow for the compassionate release of certain inmates, including those who have been diagnosed with a terminal disease, and to increase parole eligibility for older inmates and inmates who have served their minimum sentence.

While the Network appreciates the attempt to legislate compassion for incarcerated offenders nearing the end of life, we feel it is important to caution the legislature when considering an increase to parole eligibility which could put victims at risk. **As currently written, this bill contains no indication of proper risk-assessment prior to release, nor is there mention of potential impact to victim safety (only to the community and the public - see Section 1, §7142 (c)(2)).**

Furthermore, of particular concern to the Network are inmates who are convicted of domestic violence offenses and sexual offenses and continue to pose substantial risk to others even while infirmed, immobile or terminally ill.

It is important to note that the majority of sexual offenders are known to the family, and too often are family members. It is likely that “compassionate release” would release an offender to his family. And it is in that setting that deliberate tactics are too often used to select victims and engage them in sexual abuse. This is described as the grooming process. Sexual offenders have often claimed to identify vulnerable children – for example, those who are less able to tell about the abuse, or who are unhappy or needy. This tactic can be performed even while confined to a bed or a chair. Sexual offenders may recruit children simply by establishing a trusting relationship, for example by spending time with them and listening to them. Coercion from the grooming stage to touching and on to sexual abuse is possible even while enduring a journey of terminal illness.

Likewise, domestic violence is not based solely upon physical strength. Domestic violence offenders are also able to verbally, emotionally and psychologically abuse their partners regardless of their physical health or mobility. Terminal illness will not in itself prevent risk to victims.

For these reasons, the Network opposes passage of S. 207. Thank you for your consideration.