

We Thank the House Institution and Corrections committee for its interest in the work of the Parole Board. This committee has been very helpful over the years in supporting the development of a well-trained, highly qualified, progressive Parole Board. The effort to make the Board an independent body was completed in 2016 by the legislature. The training efforts over the last two years by the NPRC have continued to assist in providing guidance and documentation on how to improve the success of justice involved men and women in our community.

H 844 Review

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Line 6 -9 We believe the Vermont Parole Board Discretionary Parole process is very efficient, effective, and serves the Justice Involved men and women seen by the board and the community at large very well. It remains a viable, valuable way for citizens to participate in making sound, well informed decisions which balance public safety, victim needs and concerns, along with success for individuals returning to their communities. This bill puzzles us. It proposes ending the well informed, careful, safety and success-based process that helps prepare offenders for the transition to discretionary parole, with a presumptive process that avoids that well-informed consideration and judgement by the Parole Board. We do not support presumptive parole.

Reintegration Furlough is an important part of the process to return Justice involved men and women back to our communities successfully and safely.

Line 18 Minimum sentence terms 0 – 12 months offenders are eligible for parole consideration any time during that 12-month period. Changing it to 30 days does not change their eligibility for parole consideration, as they are currently eligible, however it does mandate that they be seen earlier. This would be a change for DOC process. We currently schedule those offenders during the 12-month period whenever DOC is prepared to bring them forward. No issue

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Line 4 – 11. 501 (b) We are not aware of any offenders who are at the 2/3rds or greater portion of their sentence who have either not already been on Parole, have been assessed as high risk by DOC, or the board, and/or have not completed an important treatment program (Sex offender, Domestic Violence). Offenders not on parole beyond their minimum can be seen by the board at any time DOC recommends them, and are examined through the record review process. At the review process the board can and does call attention to the DOC any concerns regarding parole consideration. The language in the proposed change appears to compel parole release without due consideration of risk, or any other judgement factors applied in the discretionary parole process.

Thus, it seems this portion of the bill is directed at those offenders who have committed violent offenses, have not participated in programs designed to reduce the risk of violence they present, and have not been duly reviewed under the current statutory parole review process. Even those who have been on parole and subsequently had their parole revoked are put back on parole as soon as they can demonstrate they are ready to be safely returned to the community. Typically, it is the resolution of a new crime they have been charged with, victim concerns, or a need to return to treatment / programming for issues that got them in trouble.

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Line 1-2 interview held on or before 5 days from eligibility. The Parole Board staff works with DOC to schedule Parole Eligibility hearings up to 30 days prior to their minimum date. The Board conducts hearings once a month at each site (this change is unnecessary).

Line 9 Record Reviews are conducted on offenders not on parole yearly. The Board's focus and DOC's new policies provide quicker review and require offenders to be brought before the board as soon as possible. Reviewing records of those not on parole every three months is not practical or beneficial, and would likely require additional staffing to meet this obligation.

Line 13 two year to one year. The Board sees a very small number of offenders wishing to be seen at the date of their review, and would have no problem seeing them on a yearly basis.

Line 17 two years to yearly. Not a problem

Line 21 two year to one-year period. The board sees a very small number of offenders wishing to be seen on the date of their review, and would have no problem seeing them on a yearly basis if requested.

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Line 1-3 (d) See response to page 2 line 4 -11 Terms and Conditions not enforceable. do not support.

Line 18-19 Minimum sentence to maximum sentence dates 501 (b) deals with 2/3rds of that maximum. Does not make sense...

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Line 2-5. Changing the language from “without detriment to the community or the inmate “ to “Evidence – based likelihood of specific physical injury to one or more members of the community.” This is very troublesome for the board. With this language conditions for parole could not be enforced, and potential dangers to victims, community members, and the offenders could not be managed by the Parole Board.

The Parole Board uses evidence-based research and practices to assess and manage (with appropriate conditions) risk in its decision-making process. The change would inhibit the Parole Board’s ability to use that evidence-based risk assessment and risk management tool. The proposed language suggests that only “the likelihood as determined by evidence of specific physical injury to a community member “is a reason to deny parole release. This language could lead to the Parole Board being perceived as having made a deliberate decision to approve parole release for offenders who pose a significant risk to the community. The Board’s credibility, trust, and faith would be at risk.

Could spend a lot of time explaining this issue if you wish. Examples of problems impaired driving, selling regulated drugs, abandoning programming (sex offender, Domestic Violence, new crimes, relapses and getting back into treatment. No consequences for bad behavior on Parole

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Line 3-8 Current practice no problem

Line 10-12 Disagree with Shall be reparaoled if eligible. The Parole Board assesses risk and the proposed parole plan in the interview and determines if it is appropriate to return the offender to parole. In most cases the actions taken by the offender since parole revocation (treatment program, RRP, resolution of new rime), the risk assessment, etc., demonstrate if ~~the~~ he/she is ready to return to parole and is subsequently granted parole.

Line 18-20 Cont. on Page 8 line 1 – 6 Do not support see discussion on 501 (b) on page 2

The issue of Presumptive Parole in Vermont would dramatically change the discretionary parole responsibilities of the Vermont Parole Board. Vermont's Parole Process is envied by many states as one of the more successful models of reintegrating Justice involved men and women successfully back in our communities.

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Conditional & Reintegration Furlough are an important part of the offender community reentry program and in part is what makes Vermont's offender reentry a success.

Regarding the merits of H. 844, we wish those looking to make changes would take the time to first understand how Vermont's Parole Board manages the discretionary parole responsibilities it is tasked with, by discussing the process with us, examine outcomes, attend hearings, and talk with those directly involved

before deciding to legislate changes that in our view are not in the best interest of Vermonters.

Thank you for giving the Parole Board Members the time to respond to the proposed legislation H.844.

Members of the Vt. Parole Board

Dean George, Chair