



AN OVERVIEW OF CURRENT EFFORTS TO REFORM PAROLE

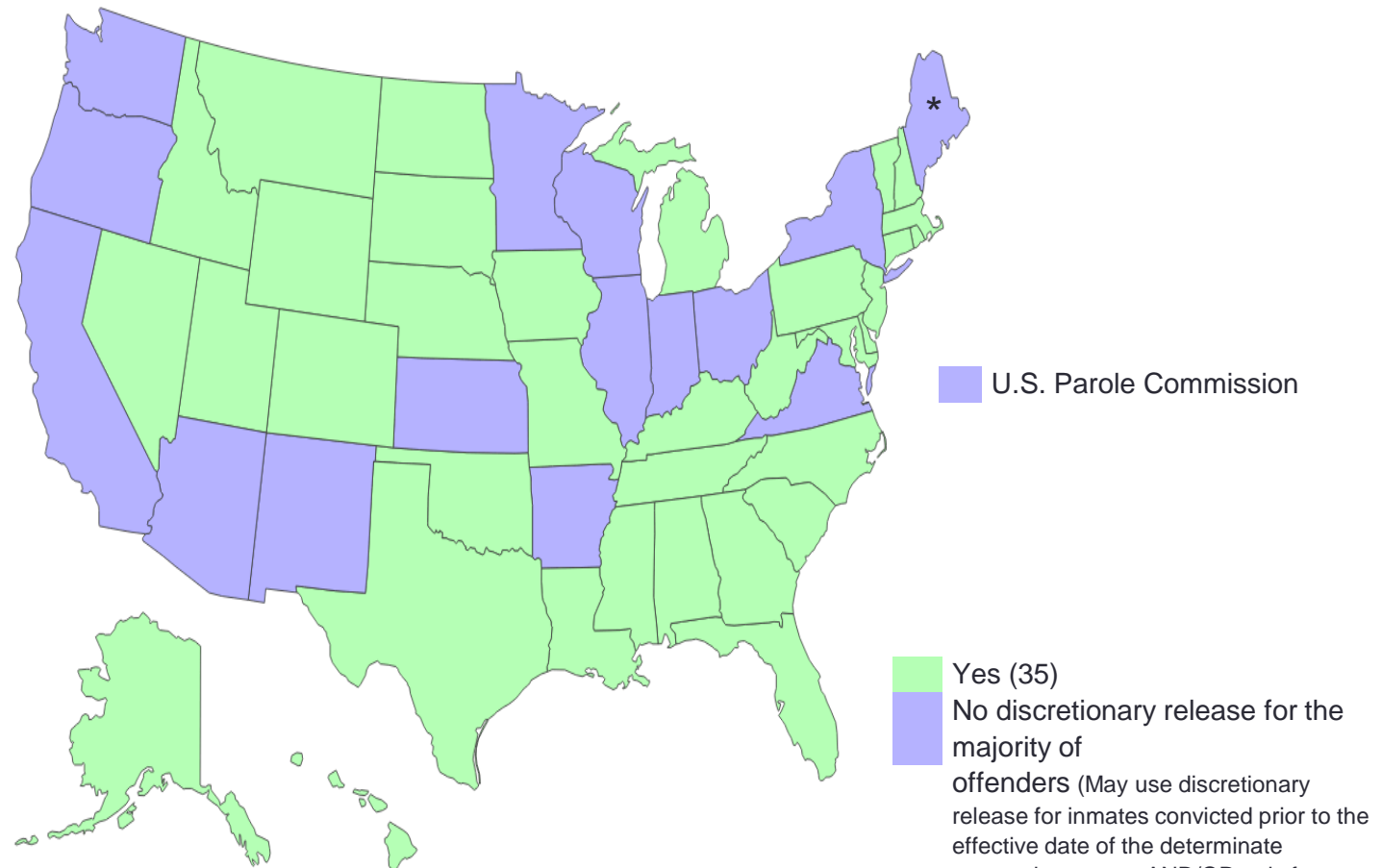
**Statement of Peggy Burke
Before the Governor's
Commission on Parole Review
Monday, October 26, 2015**

Introduction

- Ms. Burke, Principal, Center for Effective Public Policy
- 30-year career in providing technical assistance and training to operating criminal justice agencies
- Authored early research on the impact of parole guidelines
- Currently directing the National Parole Resource Center
 - Funded by BJA, DOJ
 - Partnering with APAI and the Urban Institute

www.nationalparoleresourcecenter.org

Does your state currently practice discretionary parole release decision-making for the majority of offenders?



Sources:
Robina National Survey of Releasing Authorities (2015)
Petersilia, When Prisoners Come Home: Parole and Prisoner Reentry (2003),
table 3.1

* Maine has not paroled anyone since 2001

Context

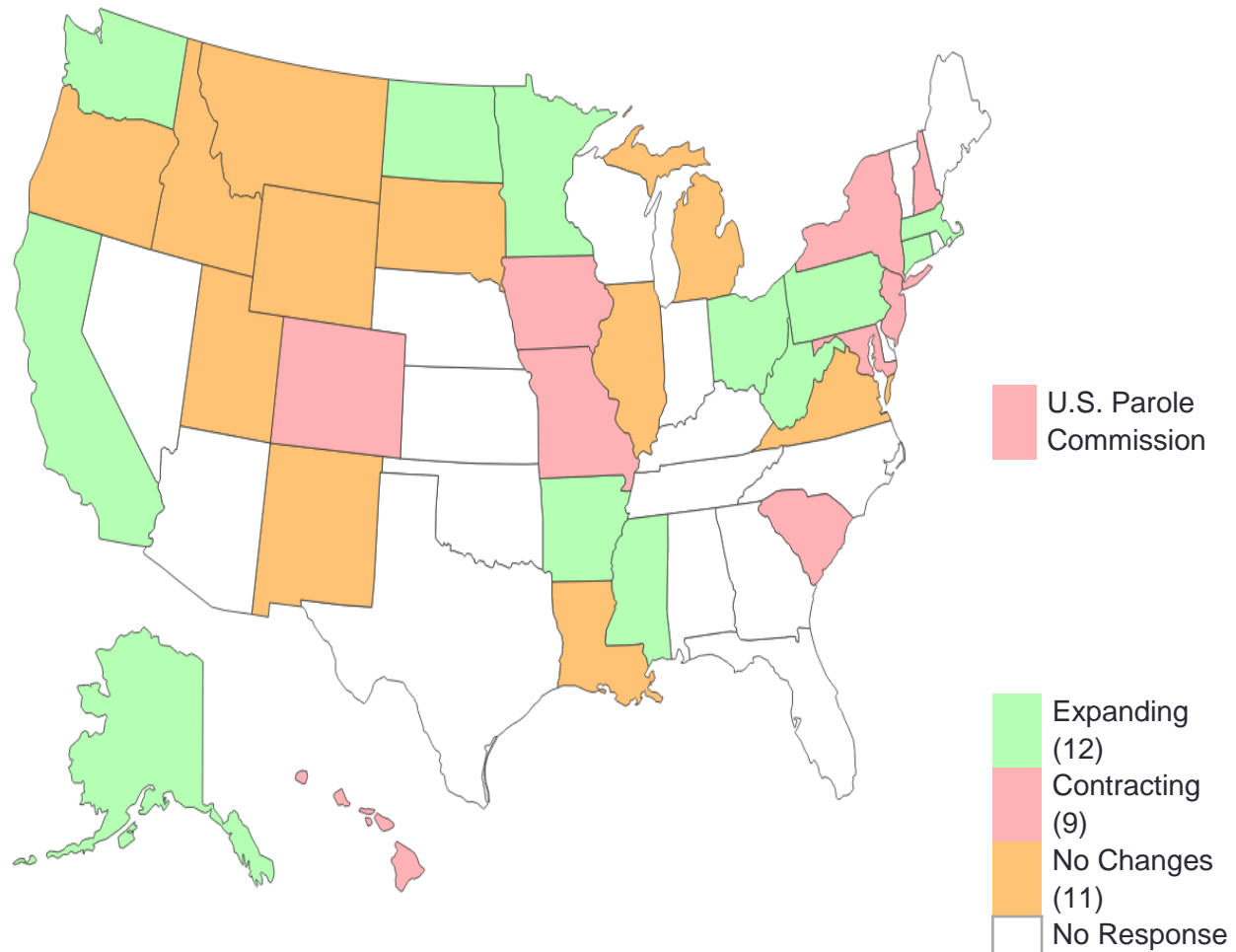
- Many states have moved away from parole
- Many others have retained parole
- Today, 36 out of 50 states have sentencing structures where most offenses were still governed by indeterminate sentences
- Paroling authorities still key decision makers in these states
 - Motivated our 2011 request to BJA to support the
National Parole Resource Center
- One goal for today is to share the evolution and efforts toward improving practice that are taking place in the parole field

Parole's Impact

- Nearly 500,000 releasees from prison receive parole supervision annually.
- The parole population is now at an all-time high of 825,365 offenders.
- Trends in Parole – Paroling authorities and parole supervision agencies in many states:
 - have become more involved in reentry efforts; and
 - have become more familiar with the principles of evidence-based strategies to achieve greater results in reducing the likelihood of recidivism and enhancing public safety.

And are realizing better results (increased collaboration with partners, reduced recidivism, fewer parole returns to prison, reduced prison populations, better parole candidates). (for example, KS, MI, MO, NY, GA)

Has your state modified statutes that impact the agency's parole release decision practices, either expanding or contracting discretionary parole release, during the past 15 years (2000-2015)? (32 jurisdictions responding)



National Parole Resource Center

- Formed in recognition of this continuing role that parole plays in the US
- Geared toward providing technical assistance, training, and providing a “window” on other resources through our web site, resource and publications.
- Funded by BJA, NPRC is a partnership

Setting the Context—Why Abolish Parole ?

- Crime is going up, we need to punish and deter more intensively
- Faith in the rehabilitative ideal had faded...
 - Nothing Works!

Changing Times

- More emphasis upon incarceration
 - Elimination of parole in some states
 - Three strikes laws passed
 - Mandatory minimums
- Impact—in the years between 1978 and 2014
 - Use of incarceration increased by a factor of 5
 - Growth from 310,000 – 1.5 million in prison
 - Counting jails, the Pew Public Safety Project reports that
“1 in 100 adults is now locked up.”

What Have We Learned?

- Recidivism can be reduced with evidence based interventions:
 - ❑ Well-designed and implemented
 - ❑ Targeted to an offender's level of risk and criminogenic needs
 - ❑ Geared to the learning styles of an offender (responsivity)
- Empirically based risk and needs assessment tools
- Intrinsic motivation as key to behavior change
- Low risk populations can be identified where interventions will not have significant risk reduction potential, and may even increase risk

Framing of Parole Reforms

- 2011 National Summit to identify the consensus around best practices for parole to support:
 - Fair, proportionate, and even-handed punishment;
 - Community safety through the balanced use of incapacitation and behavior change aimed at recidivism and risk reduction;
 - Wise use of public resources

The National Parole Resource Center has identified ten “practice targets”—taken together they outline how an effective parole board operates

- Practices supported by the research as effective in enhancing public safety and the prudent use of public resources
- Embraced as “emerging best practices” by the field
- Consistent with the values articulated by project’s interdisciplinary advisory group

Practice Targets Identify Reform Areas

- Enhancing the risk reduction impacts and strategic use of resources by parole
- Enhancing the basic capacities of paroling authorities, and
- Broadening paroling authorities responsibilities to include policymaking and effective collaboration with other state agencies.

Reform Area #1: Practices to Target Resources for Risk Reduction

- Actuarial tools to assess risk and criminogenic needs
- Target institutional and community resources to mid and high risk offenders to address their criminogenic needs.
- Consider for release at the earliest stage offenders assessed as low risk, in the context of other sentencing interests
- Use conditions to target conditions to criminogenic needs of medium and high risk offenders, minimizing requirements on low risk offenders
- Develop policy-driven, evidence-informed responses to parole violations
- Use the parole interview/hearing/review process as an opportunity to—among other goals—enhance offender motivation to change.

Update on Progress with Risk Assessment

Mariel Alper, Ebony Ruhland, Edward Rhine, Kevin Reitz & Cecilia Klingele. *Increasing Use of Risk Assessment at Release in Briefly on Releasing Authorities*, *Robina Institute of Criminal Law and Criminal Justice* (2015) (Forthcoming)

	1991	2008	2015
Number of states reporting	50	44	31
Uses Risk Assessment			
Percent	48%	73%	90%
Does Not Use Risk Assessment			
Percent	52%	27%	10%

Reform Area #2:

Enhance Basic Capacities of Boards

- Develop and strengthen **case decisionmaking** skills and capacities—“good judgment” is not enough!
- Develop and strengthen agency level **policy making, strategic management and performance measurement skills/capacities**, (including the use of the NPRC –developed “skills and capabilities” guide to assist appointing authorities in naming members to paroling authorities).

Reform Area #3: Expand Responsibilities from Case Decisionmaking to include Policy Making and the Building of Partnerships

- Develop and use clear, evidence-based, policy-driven decisionmaking tools, policies, and guidelines
- Maintain meaningful partnerships with institutional corrections, community supervision, victims and their advocates (and others) to encourage a seamless transition process and the availability of sound, evidence-based programs.

Key Input to the Commission—Drawn from Work on NPRC and other efforts

Lessons from the Past and Present—Strengthening the Future

- Singular and extensive reliance on incarceration has been costly and of limited benefit—sparking renewed interest and strengthening of parole.
- Rehabilitation—or risk reduction—while abandoned in the late 20th century, is well within our grasp.
- Parole’s traditional role in judging progress on rehabilitation has been completely redefined to include research based assessment and interventions.
- These tools and leverage can help systems, through parole decisionmaking, redirect resources that might have been spent on low risk offenders to those offenders who will benefit most

Looking to the Future

“Balanced and Strategic Sentencing”

Including

Fair and proportionate punishment/accountability

Community safety

Wise Use of Resources

Summarizing Parole Reform Efforts

- Paroling authorities are making efforts to take advantage of their position in the sentencing system, after the severity of the crime has been established and the limits of punishment set, to:
 - Use evidence based practices to reduce risk and recidivism by: collaborating with key partners to assure risk reduction resources are targeted by risk and needs to mid and high risk offenders—both within institutions and during community supervision;
 - Create incentives and motivation for offenders to participate in appropriate risk reduction programming;
 - Minimize the use of programming or bed space resources for low risk offenders;
 - Support successful transition and reentry; and
 - Provide an opportunity to address these goals over the period of time as a sentence is served.

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www.nationalparoleresourcecenter.org

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