

TO: HI CORRECTIONAL SYSTEM OVERSIGHT COMMISSION
FROM: COMMUNITY ALLIANCE ON PRISONS
DATE: THURSDAY, AUGUST 17, 2023
RE: CLOSED (SECRET) HCR 23 TASK FORCE

It was heartbreaking for CAP to see the list of bureaucrats as the majority of the task force and that the meetings are closed to the public. This is especially disappointing since HCSOC has been a model for community engagement. This decision sends a strong message to the community and we get it. Our role in reentry is not important to the state. How short-sighted – especially in light of the state saying that they care about ‘equity.’

For years, CAP has been asserting that parole is the gateway to the community for people who have served their sentences, yet there has been continued resistance about the role that HPA continues to play in successful reintegration for individuals returning to their communities.

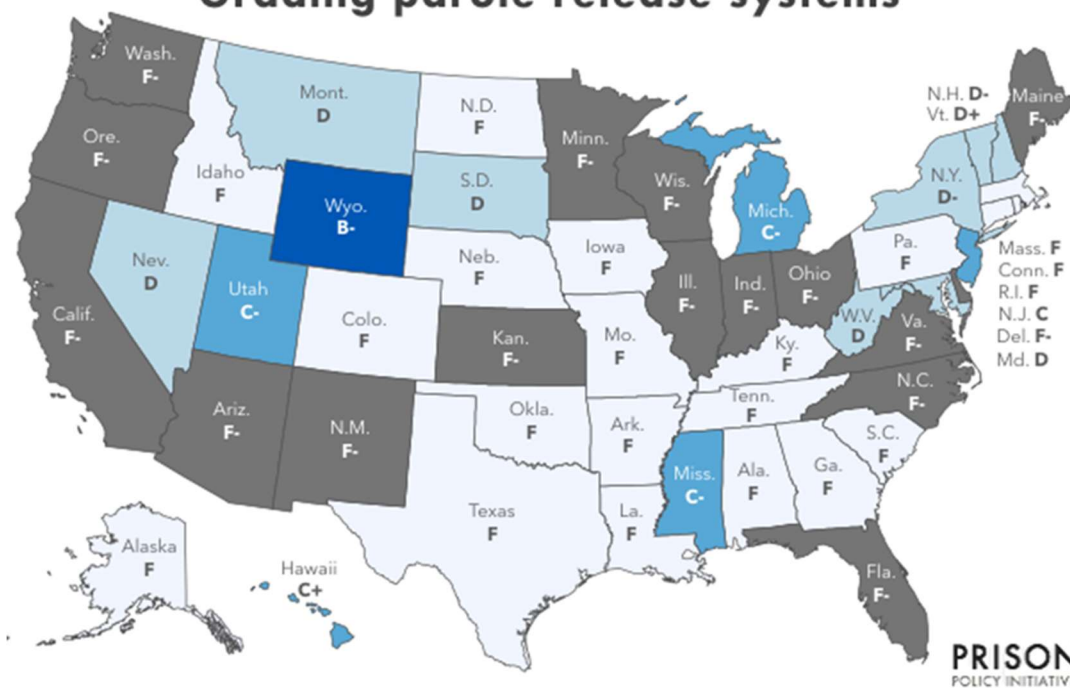
In our testimony we asked that the task force include people who have been through the parole process and are now in the community. Bureaucrats can waste time and money talking to themselves, however, without the knowledge that lived experience can contribute to the final outcome what will actually change? The absence of these voices is a glaring condemnation of the state’s intent.

Here is an excerpt from a 2019 report from the Prison Policy Institute¹ that graded parole release systems said...

*Parole systems should give every incarcerated person ample opportunity to earn release and have a fair, transparent process for deciding whether to grant it. A growing number of **organizations and academics** have called for states to adopt policies that would ensure consistency and fairness in how they identify who should receive parole, when those individuals should be reviewed and released, and what parole conditions should be attached to those individuals. In this report², I take the best of those suggestions, assign them point values, and grade the parole systems of each state.*

¹ Grading the parole release systems of all 50 states, By [Jorge Renaud](https://www.prisonpolicy.org/reports/grading_parole.html), February 26, 2019.
https://www.prisonpolicy.org/reports/grading_parole.html

Grading parole release systems



State	Grade	State	Grade	State	Grade
Alabama	F	Louisiana	F	Ohio	F-
Alaska	F	Maine	-	Oklahoma	F
Arizona	F-	Maryland	D	Oregon	F-
Arkansas	F	Massachusetts	F	Pennsylvania	F
California	F-	Michigan	C-	Rhode Island	F
Colorado	F	Minnesota	F-	South Carolina	F
Connecticut	F	Mississippi	C-	South Dakota	D
Delaware	F-	Missouri	F	Tennessee	F
Florida	F-	Montana	D	Texas	F
Georgia	F	Nebraska	F	Utah	C-
Hawaii	C+	Nevada	D	Vermont	D+
Idaho	F	New Hampshire	-	Virginia	F-

State	Grade	State	Grade	State	Grade
Illinois	F-	New Jersey	C	Washington	F-
Indiana	F-	New Mexico	F-	West Virginia	D
Iowa	F	New York	D-	Wisconsin	F-
Kansas	F-	North Carolina	F-	Wyoming	B-
Kentucky	F	North Dakota	F		

To assess the fairness and equity of each state’s parole system, we looked at five general factors:

1. Whether a state’s legislature allows the parole board to offer discretionary parole to most people sentenced today; (20 pts.) ↗
2. The opportunity for the person seeking parole to meet face-to-face with the board members and other factors about witnesses and testimony; (30 pts.) ↗
3. The principles by which the parole board makes its decisions; (30 pts.) ↗
4. The degree to which staff help every incarcerated person prepare for their parole hearing; (20 pts.) ↗
5. The degree to which the parole board is transparent in the way it incorporates evidence-based tools. (20 pts.) ↗

In addition, we recognize that some states have unique policies and practices that help or hinder the success of people who have been released on parole. We gave and deducted up to 20 points for these policies and practices. For example, we gave or deducted some points for:

Helpful factors

Does not prohibit individuals on parole from associating with each other or with anyone with a criminal history (5 pts.);

Capping how long someone can be on parole (5 pts.) or allowing individuals to earn “good time” credits that they can apply toward shortening their time on supervision (5 pts.)

Does not require supervision or drug-testing fees. (5 pts.)

Harmful factors

Explicitly prohibiting individuals on parole from associating with others under supervision, or with anyone who has a criminal record (5 pts.)

Allowing the board to extend the period of supervision past the actual end of the imposed sentence (5 pts.)

Requiring individuals on parole to pay supervision or drug-testing fees (5 pts.)

How did Wyoming earn our highest score?

Of all of the states, Wyoming received the highest grade, an 83, or a B-. Wyoming had the highest score in the Parole Preparation section, and it received generally good scores in the other three sections, particularly in the Parole Hearing section. To be specific, Wyoming:

- *Does not force individuals convicted of violent or sexual offenses to serve extra time in order to become parole eligible;*
- *Does not use the “seriousness of the offense” as an excuse to deny parole, although the Board, by statute, must consider the “facts of the current offense”;*
- *Mandates in-person, face-to-face parole hearings;*
- *Provides caseworkers to every incarcerated individual to help prepare for the hearing;*
- *Allows incarcerated people access to the information the Board will use to determine whether to grant or deny parole, and allows incarcerated individuals to question the accuracy of that information;*
- *Also allows staff from the prison — who have true day-to-day perspective on an individual’s character and growth — to provide in-person testimony;*
- *Allows individuals on parole to reduce their length of supervision by up to 40 percent through accruing good time.*

The parole system of Wyoming is far from perfect. The state mandates that survivors of crime, along with prosecutors, must be notified of an impending parole hearing or of parole approval and allowed to testify at a hearing. Only 34% — or 790 — of the total prison population of 2,353 in 2016 were eligible for parole at that time. However, the grant rate in 2015 — or the percentage of individuals given a hearing who were actually released — was a very respectable 65%.

*Wyoming can do better, as can all states. However, **the consistency across the parole process is something the state should be recognized for.***

Here is the link for the parole grades table for all states:

https://www.prisonpolicy.org/reports/parole_grades_table.html

CAP respectfully asks the Commission, as the lead entity of this Task Force, to allow the community to sit in on the meetings and submit written comments when we can contribute to the outcome.

If the state truly believes in equity, the community’s role in reentry would be acknowledged and respected.