

JUDICIARY AND APPROPRIATIONS COMMITTEES
Oversight Hearing on 2008 Criminal Justice Reforms
October 16, 2008

Submitted by Robert Farr, Chairman, Board of Pardons & Paroles

Good afternoon Senator McDonald, Senator Harp, Representative Lawlor, Representative Merrill, members of the Judiciary Committee, and members of the Appropriations Committee. I am Robert Farr, Chairman of the Board of Pardons & Paroles, and I would like to thank you for the opportunity to be here this afternoon.

After the tragedy in Cheshire, Governor Rell created a Sentencing and Parole Review Task Force to examine the criminal justice system as well as the parole process. The Task Force completed its job and made recommendations in January of this year. The legislature, on a bipartisan basis, convened later in the month in special session and passed PA 08-01. During the regular 2008 session, PA 08-51 was adopted.

The initiatives by the Governor and the Legislature have resulted in a dramatic change not only in the structure of the Board, but also in the manner that Board conducts its business. These changes have resulted in a more thorough and thoughtful process for reviewing parole eligible offenders prior to their release and re-entry into the community. The Legislature and the Governor, through their actions recognized the valuable role that parole plays in the re-entry process of offenders back into the community as well as public safety.

I now would like to review the specific changes that resulted from the two bills that have been implemented.

The Board- PA 08-01 provided for a new Board, consisting of five full-time members and seven part-time members whose role is to review and make decisions at parole hearings. The new members all have to be qualified by education, experience or training in administering community corrections, parole or pardons, criminal justice, criminology, evaluation or supervision of offenders, or providing mental health services to offenders. The Governor has appointed five full-time members as well as four of the seven part-time members, all of whom meet those qualifications. Those members are currently conducting parole hearings. Today, for example, six members are conducting hearings at two different correctional facilities within the state: a video conference hearing at the Manson Youth Institute and a video conference hearing at the Carl Robinson Correctional Institute.

Training- The new legislation requires a formal training program for the members of the Board as well as the parole officers. The new Board Members have all gone through a many hours of training and are scheduled for more training sessions over the next several months. Training at the Board is on-going and has become a regular process conducted on a monthly basis.

Certification of Files- The new law provides that no hearing can be conducted unless the Chairperson has certified that all existing pertinent information has been obtained or is unavailable. A certification process has been adopted and requires the parole officers to obtain (or attempt to obtain) all existing police reports, pre-sentence investigations, sentencing transcripts, juvenile and youthful offender records, mental health evaluations, and sex offender evaluations, where applicable. Procedures have been established in cooperation with the Judicial Department, the State's Attorney's Office, and the Department of Correction to obtain this information.

The Hiring of a Psychologist- The new public act authorized the Board to hire a clinical psychologist. The Board has hired a psychologist who has completed training and has begun to assist the Board in evaluating the risk and needs of offenders coming before the Board.

Elimination of Administrative Review- The new legislation abolished the use of the Administrative Review Process, which the Board used for non-violent offenders. This has tripled the number of full hearing that the Board must conducted by allowing every offender the opportunity to appear before them.

Input for Victims- The new legislation provided that more than one family member of deceased victims could testify at Board hearings. That new legislation has already been used successfully to allow the testimony of more than one family member at a recent hearing of an inmate, whose offense was murder.

Victim Advocates- The new legislation has provided for two Victim Advocates to be assigned to the Board to conduct outreach to victims. The Victim Advocates have been assigned by Judiciary (from O.V.S.), and are doing an outstanding job working with the Board.

GPS Monitoring- The new legislation provided for expansion opportunity for the use of GPS for offenders. The Board has been requiring GPS monitoring as a condition of parole in appropriate cases.

Access to Juvenile and Youthful Offender Records- The new legislation allowed the Board access both these records. Under the procedures established by the Board in cooperation with the Judicial Department, the Board now has access to these records upon the inmate's signature on a waiver. The Board reviews these records, if applicable, for every parole decision, but I must emphasize that *the Board's staff handles this information with the utmost professional confidentiality.*

New Videoconferencing Ability- The legislation required the Department of Correction to establish by January 1, 2009 secure video-conference connections with facilities and the Board for purposes of conducting hearings. Today, it is my understanding that all connections have been established. The Board, in fact, held one of its hearings today by

videoconferencing at the Manson YI. Video-conference hearing's gives the Board greater flexibility in scheduling.

PA 08-51 provided for- (3) additional Parole Officer positions for the Board, and (4) clerical positions. All of these positions are being filled and will soon be assisting with caseloads at the Board.

I want again to thank the Governor and the Legislature for their recognizing the importance of the parole process in protecting public safety, and the reintegration of individuals into the community. I want to thank the Legislature for its thoughtful actions of the passage of these bills.

Thank you very much. If you have any questions, I will be happy to answer them for you.

Robert Farr
Chairman, Board of Pardons & Paroles

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