

Dear Recipients

I wish to comment on the proposed rule changes for Parole Board evaluation of prisoners who have served their minimum sentence. The proposed changes are completely insufficient. Prisoners who come before the Parole Board have already been sentenced by a judge and have already served their minimum sentence. Therefore it is inappropriate and contrary to law for the Parole Board to ignore the extent to which the prisoners have rehabilitated themselves and decide instead that the prisoners were not given a harsh enough sentence by the presiding judge for the crimes they committed. Unfortunately this is often the present practice. The rules that are supposed to change this incorrect practice do not go far enough and only suggest that the board may consider the risk and needs assessment and case plan developed by the Department of Corrections and Community Supervision. The rules instead should require that the risk and needs assessment (rehabilitation of the prisoner) be the starting point of the Parole Boards work. Only after the risk and needs assessment has been determined should the Board be allowed to consider any other factor, and to the extent that they do so the Board should be required to state specifically what relevance the other factors have to their decision so that a reviewing court can determine whether consideration was legal. Anything less than this is simply the perpetuation of an unfair broken system in which the Parole Board substitutes its decision on sentencing for the trial judges.

Respectfully submitted, Stephen F. Downs, Selkirk