

## An Act to Promote Public Safety By Improving the Parole Process

H.1559 promotes prisoner reentry into society under parole supervision, which, in turn, promotes public safety by assisting prisoners in their transition from an institutional environment back to living in their communities. By the same measure, H.1559 would incentivize prisoner engagement in rehabilitative programming and increase prison safety. Having a system of presumptive parole also serves to ensure objectivity and consistency in parole decisions and to significantly reduce corrections costs by increasing parole permits.

### H.1559, Rep. Dave Rogers

2015-2016 legislative session

The Special Commission to Study the Criminal Justice System and the Boston Bar Association have both recommended that the legislature adopt a system of presumptive parole. These recommendations are well-founded. According to data published by the Parole Board in March 2014, less than 40% of Massachusetts prisoners who had hearings before the Parole Board in 2012 were released to community supervision.<sup>1</sup> With the average annual cost of \$47,102 to house a Massachusetts state prisoner, failure to maximize parole supervision is costly for taxpayers. Evidence shows that it also bodes poorly for recidivism.<sup>2</sup> A research study conducted by the Department of Correction found that prisoners released without supervision had a reconviction recidivism rate nearly 10% higher than prisoners released with supervision.<sup>3</sup>

### Improvements to the Parole Process



H.1559 establishes a rebuttable presumption that prisoners should be released under parole supervision when they are eligible in order to facilitate their successful reintegration into the community. The new language of M.G.L. c.127, §130 would maintain the Parole Board's ultimate discretion in granting parole while shifting the burden to the Parole Board to justify the denial of parole after consideration of a risk and needs assessment.

In addition, H.1559 calls for prisoners serving sentences of two or more years in state prison or a county correctional facility to be released on parole six months before they complete, or "wrap," their sentences. Only people who are still serving the minimum required term of their sentence and people who have chosen to decline parole release would be exempted from this provision.

<sup>1</sup> *Massachusetts Parole Board 2012 Annual Statistical Report* (March 2014), available at: <http://www.mass.gov/eopss/docs/pb/2012annualstatisticalreport.pdf>.

<sup>2</sup> *Frequently asked questions about the DOC*, at: <http://www.mass.gov/eopss/agencies/doc/faqs-about-the-doc.html>.

<sup>3</sup> *Massachusetts Department of Correction Two-Year Recidivism Study: A Descriptive Analysis of the January – July 2011 Releases and Correctional Recovery Academy Participation* (January 2014), available at: <http://www.mass.gov/eopss/docs/doc/research-reports/recidivism/cra-2yr-rec2011.pdf>.