



An Act to Provide for Enhanced Public Safety By Reforming the Parole Board

This bill calls for changes to the *composition* of the Parole Board in order to ensure that the Board members have essential expertise. It also enhances public safety by increasing the number of Board members to improve its efficiency and reduce delay.

H.1170, Rep. Ruth Balser

2015-2016 legislative session

Why This Matters

Composition of the Parole Board: The existing statute governing appointments to the Parole Board, G.L. c.27, §4, calls for people to be appointed to the Board who have education and experience in “psychology,” “psychiatry,” “sociology,” “social work,” and “law” (other than law enforcement work), as well as people with backgrounds in “law enforcement,” “corrections,” “parole,” and “probation.” Unfortunately, existing law does not require the Governor to make these appointments. In the 1970s and 1980s, Governors honored the intent of the statute and the Parole Board had educators, psychologists, psychiatrists, social workers, ministers, and defense attorneys among its members. More recently, the Board has been dominated by law enforcement.

Expansion of the Parole Board: The Parole Board is overworked. Prisoners with life sentences often face long delays before their hearing can be scheduled, and usually wait months, and sometimes years, before receiving their decisions. The current average wait between the lifer hearing and receipt of the written decision is 262 days, with the longest wait 688 days – almost two years. Two people, both of whom were sick and elderly, died waiting for action by this Parole Board.

In other states, parole boards generally issue decisions within a few weeks of the hearing. Waiting anywhere from eight months to twenty-two months for a decision is fiscally wasteful, has increased tension and hopelessness in already overcrowded prisons and is disrespectful of prisoners, their families and representatives, as well as victims.

What This Bill Would Do

Composition of the Parole Board: This bill requires that at least three members of the Parole Board be selected from the fields of psychiatry, psychology, social work, or sociology – persons who have the demonstrated expertise to evaluate a person’s needs and to predict his or her likelihood of success in the community.

Expansion of the Parole Board: This bill increases Parole Board membership from seven to nine and allows six members to sit as the full Board for the purpose of second-degree lifer hearings. Increasing the number of Parole Board members to nine would expedite hearings and decisions. Allowing six of the nine Board members to hear second-degree lifer hearings, instead of the full Board, would also make scheduling easier and would permit Board members to attend to other duties, rather than tying up the entire Board for every lifer hearing. It would also be more in keeping with intent of recent amendments to the current statute that require a $\frac{2}{3}$ vote before a lifer can be paroled.

We also ask that you lend your support to the following bills:

- An Act to Reduce Recidivism, Curb Unnecessary Spending, and Ensure Appropriate Use of Segregation (Rep. Elizabeth Malia, H.1475 & Sen. Jamie Eldridge, S.1255)
- An Act to Collect Data Regarding the Use of Solitary Confinement in Massachusetts Prisons and Jails (Rep. Russell Holmes, H.1381)
- An Act Relative to Medical Placement of Terminal and Incapacitated Inmates (Sen. Patricia Jehlen, S.843 & Rep. Tim Toomey, H.1648)
- An Act to Promote Public Safety by Improving the Parole Process (Rep. Dave Rogers, H.1559)
- An Act Relative to Improve Public Safety by Facilitating Access to Addiction Services (Rep. Ruth Balser, H.1167)
- An Act Relative to Ensuring Quality Mental Health Services in State Correctional Facilities (Rep. Ruth Balser, H.1171)