

Madam Chairman and Members of the Sub-Committee:

Thank you for inviting us to appear this morning to introduce the recently appointed Parole Board members to you. As you know, the Governor appointed the new Board at the beginning of this year and two new members took office in the middle of February and the other two of us came on board at the end of that month. As the Board consists of five members, two of which are full time and three are part-time, there is yet one vacant part-time position. In addition, the General Assembly was kind enough to fund an investigator position for the first time, and that position has been filled.

I want to tell you a little bit about our backgrounds and then let you know of some of what we have been doing for the past three months since assuming office.

I am Chairman and a full-time member. I came to the Board from the Attorney General's Office, having served as Senior Assistant Attorney General in the Correctional Litigation Section where we represented the Department of Corrections, the Parole Board and several other Public Safety agencies. I have practiced law for almost 38 years and came to the Attorney General's Office in 1985.

Karen Brown is our Vice Chair and the other full-time member. Ms. Brown is also a lawyer and for the past 16 years has served as an Assistant Commonwealth's Attorney in both Newport News and Chesapeake. She is also our "victim member", her brother having been murdered in Newport News in 1993.

Minor Stone is one of our part-time members and is from Virginia Beach. Mr. Stone is a Marine Police officer from Virginia Beach who retired in 2006 after 29 years in law enforcement. He currently operates a tourist related business in Virginia Beach.

Rita Angelone is the other part-time member, coming to the Board from the Virginia Foundation for Healthy Youth where she was resource director and grant administrator. Prior to that, she was a domestic violence grant monitor at DCJS. Before coming to Virginia, Ms. Angelone had over 20 years in corrections, mostly in the Oklahoma system.

Our new part-time investigator is Trudy Harris who is retired from the Virginia State Police and served at various times during her career there as a trooper, a BCI investigator and as a member of the Executive Protection Detail for the Governor.

The Board has been busy, not only being trained in its duties and keeping up its workload, but also in reaching out to the community and becoming more proactive in seeking out those offenders who can safely be released on parole. We have received tremendous assistance in our transition from former Chairperson, Helen Fahey.

We have met with representatives from various stakeholders including Virginia CURE, the Muslim Chaplain Services, the Virginia Association of Chiefs of Police and the Virginia Coalition for the Prevention of Elder Abuse. One of the things that we are trying to do is develop closer working relationships with the wardens and their staffs, so that we can get more insight into the offenders whose cases we review. In that regard we met as a Board with staffs at both Greensville and Deerfield Correctional Centers. Deerfield is particularly important as it houses many of the geriatric offenders and geriatric parole is an ever increasing part of what we do.

Most of the Board's time is spent considering cases of discretionary parole, mainly those offenders who committed their crimes before 1995. There are approximately 4,300 inmates eligible for parole consideration at this time. More inmates will

reach their eligibility dates over the next several years, and we have projected the eligible population to steadily increase to a peak of around 6,800 in 2016. Of currently parole eligible offenders, 92% have been convicted of violent crimes. 33% of the total has been convicted of homicides, 16% of rapes and sexual assaults, 18% of robbery, and 7% of felonious assaults. It's readily apparent that the great majority of parole eligible offenders are serving long sentences for violent offenses.

Geriatric parole cases have risen over the years because this is the only avenue for early release for those inmates serving long sentences for crimes committed after January 1, 1995, the advent of "no parole." Inmates must meet the criteria for geriatric parole set by law and they must affirmatively request review by the Board. In 2002, the Board only reviewed 19 geriatric parole cases. That number has steadily increased over the years to 133 in 2010, and we expect to review as many as 175 this year. We project this group to continue to rise and estimate that there will be well over 3200 geriatrics not otherwise eligible for parole by 2015.

In addition to reviewing cases for discretionary and geriatric parole, the Board reviews and makes recommendations on the clemency petitions presented to the Governor. These are also on the rise. In 2010, the Board investigated and advised on 622 petitions. It is anticipated that our clemency caseload may exceed 750 for 2011. While many of these are routine in nature and can be investigated by review of the electronic records, some are unique and of a high profile that require more investigation before a recommendation can be made. We believe that a large portion of our investigator's time may be devoted to these types of cases.

Finally, I'd like to mention a couple other things that we are undertaking. One deals with decision letters, primarily those where the offender is informed that the Board is not granting parole. We are looking at ways in which the letter provided to the

inmate when parole is denied can be communicated with more information and clarity. In the past, those letters have used standard reasons such as “the serious nature of the offense” without much more. While that type of response satisfies legal requirements, it does not necessarily communicate to the inmate the complete basis for the Board’s decision or what he can do to better his chance at parole the next time his case is considered.

Several times each month, we hold what we call Board appointments where offender families and victims of crime may meet with a Board member to discuss a case that is currently before us. In 2010, the Board met with such interested parties 333 times. We appear to be on track to have at least that number, possibly more, in 2011. One thing that we have learned from victims who have appeared before the Board is that there is severe emotional distress caused each year when they know the offender who injured them has a chance for release back into the community and the accompanying uncertainty in waiting for the Board’s decision. They effectively have to relive the trauma of the crime on an annual basis. We have made it a practice that in every case where a victim appears in a Board appointment to oppose parole, we will expedite review and promptly report our decision to the victim by a telephone call from both the Chairman and our staff victim assistance representative.

Lastly, we have begun a review of the Board’s policies and procedures, most of which are 15 to 20 years old, to make such changes as are necessary to increase the efficiency of the Board’s operation and the fairness to the offender and the citizens of the Commonwealth. In doing this, we are mindful of the Governor’s emphasis on re-entry and we are exploring ways in which the Board can assist in that process and cooperate with the Department of Corrections as offenders released on parole return to their communities.

To summarize, your current Board is working hard to make sure that the parole process is a fair one to both the offender and the citizens we serve, and we are trying to better communicate that to the offender population and the public. I assure you that we keep public safety as the guiding principle of that process, but recognize that people can change and returning them to productive and law abiding citizens is a win-win for both them and the Commonwealth.

I appreciate the opportunity to appear before you this morning and look forward to working with you in the future. If you have any questions, I'll be happy to try to answer them.