

Wyoming Board of Parole  
Annual Report  
Fiscal Year 2008

General Information

Agency Name: Wyoming Board of Parole  
Director & Contact Person: Patrick M. Anderson  
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Website Address: <http://boardofparole.wy.gov>

Statutory References: W.S. §7-13-401 to 7-13-421 Duties Generally  
W.S. §1-40-112 Collection of Victim  
Compensation Debts  
W.S. §7-13-106 Restoration of Voting Rights

Budget Information: FY 2009 Budget is \$876,362.50 in general funds

Clients Served: General Public Safety, Victims of Felony Crimes,  
and Felony Offenders

Reporting: As gubernatorial appointees, the members of the  
Board report directly to the Governor.

Number of Members: Seven

Meeting Frequency: The Board conducts executive session inmate hearings at all facilities housing Wyoming felony inmates, which entails two hearings per month during most months of the year. Monthly hearings last for two to four days each. Additionally, the Board conducts four public business meetings per year, which are scheduled in conjunction with parole hearings when possible. The Board's hearing calendar is posted at its website.

# Wyoming Annual Report FY 2008

**Agency:**

Wyoming Board of Parole

**Report Period:**

FY 2008 (July 1, 2007 through June 30, 2008)

**Wyoming Quality of Life Result:**

Wyoming families & individuals live in a stable, safe, supportive, nurturing, healthy environment.

**Contribution to Wyoming Quality of Life:**

Wyoming's Public Safety is enhanced, individuals are restored and families are reunified through informed Wyoming Board of Parole decisions releasing inmates with adequate preparation into a supportive community environment.

The Wyoming Board of Parole (Board), by making informed decisions about the release of inmates based on assessed risks and needs, participation in responsive programs while incarcerated, likelihood of successful adjustment to the community and other relevant factors, and by structuring release plans with conditions designed to ensure successful re-entry into the community with appropriate levels of supervision and services, makes the following contributions to the quality of life in Wyoming:

- Public safety and reduced victimization through reduction of crime
- Reduction in costs of incarceration
- Reunification of families
- Restoration of productive citizens into the community
- Involvement of Crime Victims in the parole process

**Basic Facts:**

The Board is a separate operating agency composed of seven members appointed by the Governor to serve six year terms, with an administrative staff of seven full time employees headed by an Executive Director who is appointed by the Board. Institutional preparation of inmates for parole, information necessary to make parole decisions and post-release supervision of parolees is provided by a separate agency, the Wyoming Department of Corrections (WDOC).

The Board acts as a decision-making authority on the following matters:

- Grants of parole releasing inmates to community supervision or to consecutive sentences or sentences in other states
- Setting of conditions of parole
- Revocations of parole based on violations of conditions
- Recommendations to the Governor for grants of commutations of sentences

- Removal and withholding of good time credits from inmates as a sanction for misbehavior or refusal to participate in rehabilitative programs
- Restoration of voting rights to qualifying felons

Additionally, the Board notifies victims of its actions and of offender status and provides them with the opportunity for input into its decisions before they are made, provides education about the parole process, enforces payment of restitution and Victim Compensation Fund obligations by parolees and makes referrals to other victim services such as advocacy and financial assistance. Victim input is factored into Board decisions regarding parole grants and special conditions of parole.

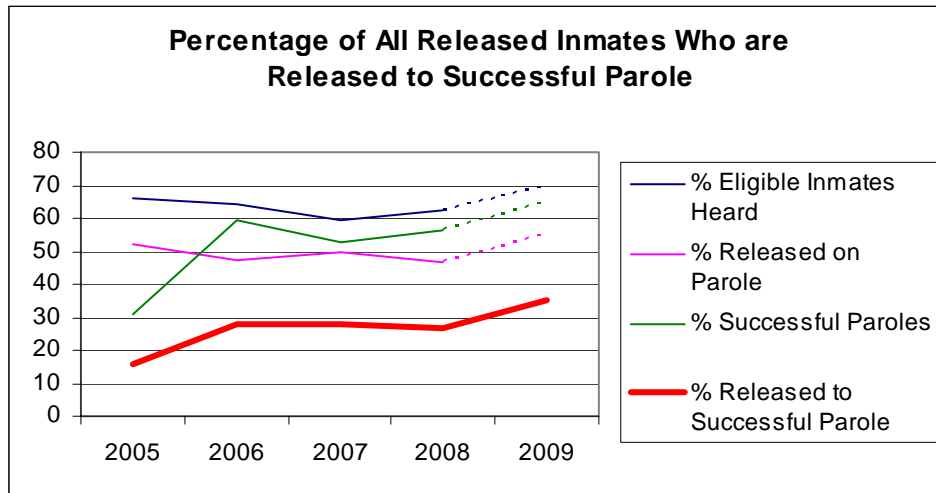
In FY 2008, the Board heard the cases of 1,123 inmates to consider various actions. In that year 759 of the inmates who were heard were parole eligible. Of that group, 408 were granted paroles. There were 61 revocations of paroles which had been granted both during and prior to FY 2008. Eleven commutation recommendations were made to the Governor, and voting rights were restored to ten citizens. Notification letters were sent to 1,588 victims notifying them of their rights and notifying them of pending hearings and actions of the Board. There were 118 victims who wrote input letters to the Board and 53 personally appeared to give input.

The annual budget of the Board in FY 09 is \$876,362.50 in general funds.

**Performance:**

The most important performance measures identified by the Board of Parole are:

#1:



Eligible Inmates Heard  $\frac{\text{Eligibles Heard}}{\text{Total Eligible}}$

This measure calculates the percentage of inmates who are eligible for parole who elect to meet the Board to ask for a parole.

Released on Parole

$$\frac{\text{Released on Parole}}{\text{All releases}}$$

This measure calculates the percentage, for all inmates who leave prison, of those who go on to parole supervision, without reference to whether or not they get revoked.

Successful Parole

$$\frac{\text{Parolee releases - revocations (-reparoles)}}{\text{All Parole releases}}$$

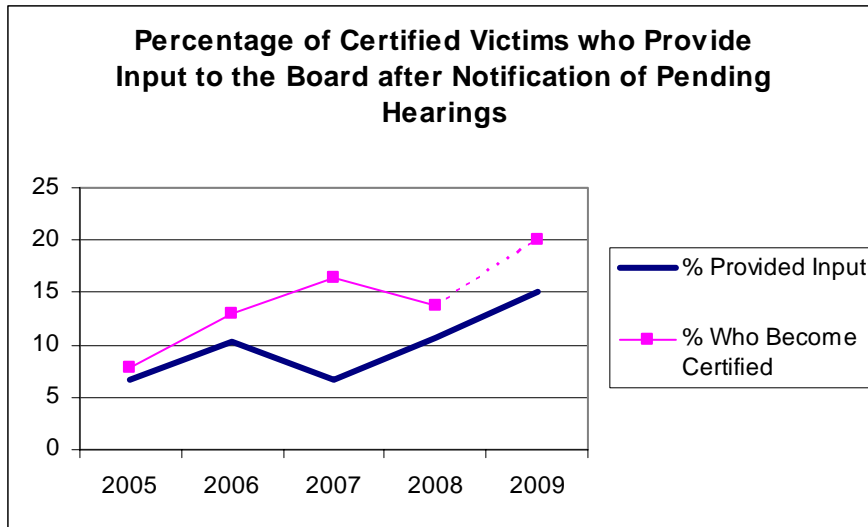
This measure provides the success rates for all inmates released to parole.

Released to Successful Parole

$$\frac{\text{All parolee releases - revocations (-reparoles)}}{\text{All releases}}$$

This measure calculates the percentage, for all inmates who leave prison, of those who go on to parole supervision without a revocation resulting in re-incarceration.

#2:



Provided Input

$$\frac{\text{Letters Received \& Appearances}}{\text{Total letters sent for input}}$$

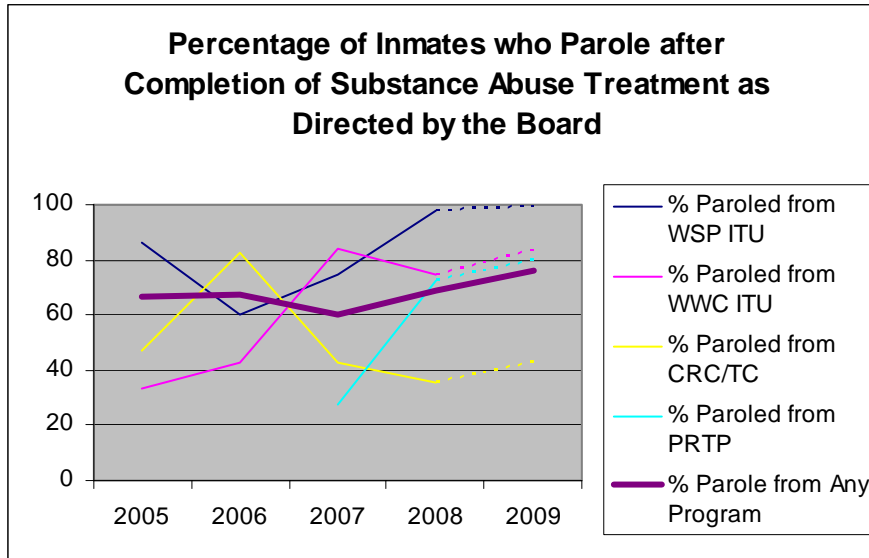
This graph measures the percentage of victims, who after becoming certified and receiving notification of pending Board hearings, provided input to the Board.

Who Become Certified

$$\frac{\text{Active Victims}}{\text{Initial Letters Sent}}$$

This graph measures the percentage of all victims who became certified after being advised of their rights to become certified to receive notification.

#3:



% Paroled from any program

$$\frac{\text{POAs upon completion that completed}}{\text{POAs upon completion}}$$

These graphs measure the percent of those inmates who are granted paroles to become effective upon successful completion of the specified program who completed the program and went to parole.

### **#1: Story Behind The Performance**

#### **Percentage of all released inmates who are released to successful parole.**

The Board's performance on this measure decreased by 1.24 percent in FY 08.

This measure reflects the Board's primary strategic goal of increasing the percentage of all inmates released from prison who are released to paroles which are successfully completed, rather than being released after completing their sentences in prison. This goal is premised on evidence showing that participation in rehabilitative programming while in prison, as required for inmates to obtain a parole grant, and the support, assistance and supervision provided while on parole, results in more successful reintegration of offenders into the community and less commissions of new crimes by released inmates.

The mathematical formula for this measure is the number of inmates released to parole less the number of revocations for the year, divided by the total number of prisoners released from prison that year including those who completed their sentences in prison and those who went to paroles, as shown here:

$$\frac{\text{Releases to Parole} - \text{Revocations}}{\text{All Releases from Prison, including releases to parole and completion of sentences}}$$

All Releases from Prison, including releases to parole and completion of sentences

This measure is affected by several factors. It should first be noted that while the Board does make the releasing decision, when or if that decision is carried out with an actual release to parole is subject to several variables which are beyond the Board's control, so that there is not a direct correlation between numbers of paroles granted and numbers of releases to parole. However, the number of paroles granted is obviously a strong factor in the number of releases to parole.

It is interesting to note, therefore, that the number of paroles granted in FY 08 increased 5 percent from FY 07, from 387 to 408. As a percentage of eligible inmates appearing before the Board who were granted paroles, however, those numbers reflect a decrease of 2 percent (55 percent in FY 07 and 53 percent in FY 08). It therefore appears that the increased number of paroles granted in this reporting period is attributable to a larger pool of eligible inmates (1219 in FY 08 versus 1161 in FY 07) and a slightly higher percentage of those inmates who chose to appear before the Board (62 percent in FY 08 versus 60 percent in FY 07). Notwithstanding the higher number of grants in FY 08, a decrease of the numbers actually released to parole and an increase in the number of inmate discharges resulted in an overall drop in performance on this measure.

More significant improvement was achieved on the other factor in this equation: revocations. The number of revocations dropped from 70 in FY 07 to 61 in FY 08, for a 13 percent improvement. This is believed to be a direct result of parallel efforts by the Board and WDOC to train agents to view revocations as a last resort after exhausting all other reasonable responses to parole violations, while maintaining public safety as the paramount consideration. Board staff and members have been proactive in working with agents to identify and fashion alternatives to revocations in appropriate cases before the matter is referred for a revocation hearing, including options such as enhancement to the Intensive Supervision Program, referral to the Parolee Residential Treatment Program for relapsing addicts, and other modifications of the parole grants to address violative behaviors. Additionally, the Board has been more generous in granting reparoles after revocations (31 percent in FY 07 and 38 percent in FY 08), reflecting the application of best practices in dealing with cases where long-term reincarceration alone may not provide the best chance for offenders' long-term success in the community.

### **What Has Been Accomplished?**

The Board has not met its goal of FY 07 to reverse the downward trend which had developed during that reporting period.

However, corrective measures which were initiated during FY 08 have now come to fruition and will yield a dramatic improvement on future performance on this measure.

The most significant achievement was legislative passage of Senate File 032 per the Board's request. This bill authorized the Governor to establish rules for the award of good time credits to parolees for compliance with parole conditions, effective July 1, 2008. The Board, through the Governor's Office and with the support and cooperation of the WDOC, has implemented a system which will allow the Board, based on parolees'

compliance with parole conditions and agents' recommendations, to award up to 15 days of credit off the parole period for each month served. Parolees will have the opportunity to reduce the parole period by as much as one third if all possible good time is earned and awarded. This will provide the following improvements in performance:

- More inmates will seek paroles, as they can finish their sentences sooner if paroled.
- More inmates will engage in programming and avoid disciplinary infractions to improve their chances of a parole.
- Parolees will commit fewer violations of parole conditions in order to avoid non-earning of good time, which will result in less revocations.

The net result of these efforts will be more paroles and fewer revocations, creating a direct improvement in this performance measure.

Senate File 032 also provided agents with authority to impose intermediate interventions on parolees who violate conditions instead of pursuing revocation actions. Authorized interventions include loss or restriction of privileges, community service, and restrictions on personal liberty, including jail detentions of up to 30 days and placement in Adult Community Corrections programs for up to 60 days. These tools will not only provide a direct reduction in revocations as diversional alternatives; with judicious use they will also serve as incentives for parolees to maintain compliance with parole conditions and other expectations for supervision in the community, with longer-term rehabilitative benefits. The Board has worked directly with the WDOC administration in development of related policy and provided training to all agents to implement these measures.

In March of 2008, the members of the Board received a day of training provided by the United States Department of Justice, National Institute of Corrections, on best practices in parole interviewing, decision-making and setting of conditions. If internalized and put into practice by the members, the concepts learned in this training should result in more parole grants, imposition of fewer unnecessary conditions which might result in revocations, and fewer decisions to revoke and reincarcerate after violations occur.

In cooperation with the University of Wyoming Criminal Justice Department, a study has been initiated to determine the reasons why so many eligible inmates waive parole hearings. A student intern was employed by the Board to gather necessary data, and that step of the project has been completed. The results of this study will be used to develop strategies to reduce the number of inmates who decline the opportunity for parole.

Pursuant to the Board's request, WDOC has implemented a pilot project to have an agent assigned to a full caseload of parolees, as opposed to other agents who have mixed caseloads of probationers and parolees. Development of Agent expertise in dealing with the unique needs of parolees reentering the community after extensive prison time is expected to yield better success for parolees. If successful, the Board will ask WDOC to extend this practice statewide.

A strong factor which influences Board paroling decisions is the availability of rehabilitative programs which will prepare inmates for release to the community. The WDOC procured contract services for assessments and treatment of sex offender inmates in January 2008. That program is becoming operational and arrangements are underway for the Board to receive assessment and treatment information on individual inmates prior to their hearings, which have historically been lacking and an impediment to paroles for sex offenders.

Finally, WDOC has undertaken organizational restructuring in an effort to improve program delivery, is nearing operationalization of new programming facilities at the Wyoming State Penitentiary (WSP), and has restructured its classification system in part to allow for more inmate placements at minimum facilities where more specialized programming may be available and which afford a transitional step which the Board finds desirable when considering parole grants.

As a whole, strategies which have been put in place in FY 08 are expected to yield significant improvement in this performance measure in the next year.

## **#2: Story Behind The Performance**

### **Percentage of certified victims who provide input to the Board after notification of pending hearings.**

This performance measure is derived from the percentage of certified victims who provided impact statements, either written, in person or via telephone hearing to the Board after being notified of upcoming hearings and being notified of their right to provide input, as shown here:

$$\frac{\text{Letters/Emails/Phone Calls Received \& Appearances}}{\text{Total Notifications Sent Requesting Input}}$$

During this reporting period, the measure improved by 4 percent, in contrast to a 3 percent decline in FY 07. This modest increase and reversal of the downward trend is reflective of continued development of victim services as a discrete function of this agency. In recognition of the importance of victims' role in the parole process, legislative authorization for a victim services coordinator position was obtained in FY 07, and the incumbent's outreach activities are showing results in terms of more victim input.

### **What Has Been Accomplished?**

Several achievements have been accomplished to provide better services to victims and to obtain more input for the Board's consideration when making parole decisions which may impact victims' safety and security.

As mentioned, the victim services coordinator position has been instrumental in initiating more contact with victims, via telephone or email, than has historically been provided via US mail. This has fostered more victim understanding of the process and more willingness to travel to see the Board in person. More education has been provided regarding the availability of Victim-Surcharge funds through the Department of Victim Services (DVS) to defray travel expenses. As a result, while overall victim input has increased 4 percent, the number of victim appearances before the Board has increased 39 percent since FY 07.

In FY 08, the Board initiated and implemented in conjunction with WDOC a program which allows victims to elect to receive notifications and send input via email. Although the response has been modest thus far (19 percent of certified victims have provided input by email and 17 percent have opted for E-notification), it is anticipated that the rapidity and ease of E-communications and the continuing expansion of this capability among the members of the public will continue to increase communications and interaction between victims and the Board.

The Board, having identified a deficiency in WDOC notifications to victims of inmates' releases to parole (notification was being provided after the release had occurred), implemented a procedure whereby the Board notifies victims at least five days prior to release in every parole case.

The notifications sent by the Board are continuously reviewed and modified as appropriate to ensure that the information provided is informative, understandable and user-friendly for the recipients.

In FY 08, the Board continued its involvement with DVS in the WY Statewide Automated Victim Information and Notification (SAVIN) Bureau of Justice Assistance Grant to implement automated telephone notifications to victims of critical events associated with parole decisions and supervision. Work has now begun to develop necessary programming to bring the Board online with the Victim Information and Notification Everyday (VINE) system, which is anticipated to provide more timely notification of key developments to victims within the next two years. VINE's implementation will be utilized as an additional program for victims in their safety planning process.

Expansion and improvement of victim services will continue to be a key strategic objective of this Agency.

### **#3: Story Behind The Performance**

**Percentage of inmates who parole after completion of substance abuse treatment directed by the Board.**

This performance measure captures the percentage of inmates who, after being granted a parole to become effective after completion of a residential substance abuse treatment program, go on to successfully complete a program as shown:

Granted Paroles upon Completion Who Completed  
Granted Paroles upon Completion

The measure has changed from previous years in that previous years only encompassed performance at the Intensive Treatment Unit (ITU) programs at the WSP and WWC. For FY 08, the Board included the 100 bed Casper Reentry Center/Therapeutic Community (CRC/TC) program and the Parolee Residential Treatment Program which provides ten beds for use by individuals who relapse while on parole.

Since the last reporting period, there has been an eight percent increase in this measure, as contrasted with a seven percent decrease in successful completion of the ITU programs only in the previous reporting period.

This is attributable to some identifiable factors. As discussed in the FY 07 annual report, the private-contractor operators of the ITU programs at the WSP and Wyoming Women's Center (WWC) were viewed by the Board as being inordinately quick to reject inmates from the programs, both before and after acceptance. There appeared to be a tendency to selectively choose inmates who would not cause management problems and to eliminate others from the program at the first sign of trouble, as a matter of administrative convenience. At WWC, there was no priority given to candidates who had been granted a parole to be effective upon program completion, and they were often by-passed for inmates who were preferred by the provider. There seemed to be little WDOC oversight over the admissions/rejection process of the provider.

**What Has Been Accomplished?**

Since that time, based on discussions by the Board with WDOC administrators, and a resultant WDOC audit of the WWC ITU, firmer controls have been implemented over the provider and priority given to inmates with pending parole grants, given the obvious benefit to expediting treatment for those who are approaching release from prison. Equally significant was the transfer of operation of the two ITU programs to the company which operates the CRC/TC program in Casper. That company has proven to be much more responsive to Board expectations than the former operators of ITU.

The other significant factor has been expansion of the WWC ITU from 18 beds to 32 beds, and full operationalization of the 100 bed CRC/TC program. Increasing the total numbers of beds creates more availability to accommodate Board actions. Additionally, the CRC/TC admissions and rejection process is overseen by a WDOC employee, thereby eliminating the bias inherent in giving full discretion to private providers.

Finally, the Board has clearly sent the message to the inmate population that the Board will take action to remove good time earnings from inmates who willfully refuse to apply

for, enter and complete a residential treatment program after having been granted a parole upon completion of the program. This has reduced the number of inmates who intentionally choose to opt out of or quit the programs for various reasons.

As public support for and offender acceptance of the importance of substance abuse treatment for addicted offenders continues to increase, successful completion of these programs will remain an important factor in successful reentry of inmates into the community.

# Wyoming Board of Parole Organizational Chart

