

Wyoming Board of Parole

Strategic Plan

2011-2012

Quality of Life Result

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

Agency

Wyoming Board of Parole

Contribution to Wyoming Quality of Life

The Wyoming Board of Parole (Board) plays an important role in addressing the impact of crime on families, communities and the State as a whole.

Victims of crimes are assured a voice in decisions as to when, where and under what conditions felony prisoners are released into the community, and receive restitution paid by parolees as a condition of parole.

Communities are assured that prisoners are only released by the Board upon its determination that the punitive, deterrent and incapacitative aims of incarceration have been served, that the inmate has adequately attended to rehabilitative programming needs and that the inmate presents a reasonable chance of succeeding on parole without new offenses.

Wyoming citizens as a whole receive the benefit of seeing inmates, 95 percent or more of whom will return to the communities upon completion of their sentences whether or not they are paroled, returned based on the informed decision of the Board with structures and support in place to best ensure a successful reintegration back into the community and long term rehabilitation, rather than discharging out of prison with little to no preparation and no monitoring of their activities after release.

The State benefits from the cost savings realized through early releases to parole, which free up expensive prison beds and transition offenders from being wards of the State to being productive, working citizens who in many cases resume supporting families who had to rely on public assistance during the incarceration.

The Board is a key part of the solution to the explosion in prison populations in the United States, where 2.3 million individuals are now incarcerated at an annual cost to the States, Federal Government and Local governments of \$68 billion. The United States incarcerates 756 inmates per 100,000 residents, which is five times the worldwide average of 158 per 100,000, yet our crime rates are not significantly lower than other countries'. National attention is now focused on solutions to this problem, examining not only sentencing practices but also releasing practices. The goal of the latter is to reduce the numbers of released prisoners who return to incarceration in a seeming "revolving door". The Board is poised to continue collaborative efforts with federal agencies and other State agencies to identify and implement practices which will best serve the quality of life in Wyoming through strategies which reduce incarceration rates without increasing crime.

Basic Facts

The Board is composed of seven members who are appointed by the Governor to serve six year terms. Organizationally, it is a separate operating agency with an operating budget and six staff who work under the direction of an executive director appointed by the Board.

The Board's primary function is reviewing pertinent information, interviewing inmates, hearing testimony and making decisions whether or not to grant parole to inmates when they become eligible for a parole by having served their minimum sentences. Decisions to grant a parole include imposition of conditions which are intended to foster rehabilitation and protect public safety and which, if violated while on parole, may result in revocation and return to prison. An important part of the process is soliciting and obtaining input from the victims of particular offenders to better inform the Board in its parole decisions and to help determine conditions of parole which will address victim concerns.

The parole process includes several collateral decision points including revocation actions, intermediate sanction reviews, parole good time reviews, modifications of conditions and inmate good time removal actions. The Board also has authority to recommend commutations, or time cuts, off inmates' sentences to the Governor and to restore voting rights to one-time non-violent felony offenders five years after sentence completion. The above matters may variously be heard by the Board during regular hearings or may be determined outside of regularly scheduled hearings as needed.

Services to victims continue to be developed as a key component of Board operations. The Board provides written advisories to all identified victims at the beginning of offenders' sentences, informing them of their rights to receive notification and advising of the process to become registered for notification. For those victims who elect to become registered to receive notification, the Board provides notice of and opportunity for input into all hearings, and keeps them apprized of key events during parole. Victims are afforded personal interviews with the Board with reimbursement for travel expenses, and outreach activities are aimed at educating victims about the parole process and encouraging their active involvement in that process. The Board also assists victims in collecting their restitution by imposing conditions on offenders' parole requiring monthly payments.

In FY 2009 the Board reviewed and made decisions in 1,211 cases, for a 12 percent increase in activity over the previous year. The numbers of inmates heard who were eligible for parole increased by 11 percent to 774, and the numbers of paroles granted increased by 12 percent to 433. There were 67 revocations of paroles, up 12 percent from the previous year. Ten commutation recommendations were made to the Governor, and voting rights were restored to five out of six citizens with felony convictions who applied.

One thousand, one hundred and fifteen letters were sent informing victims of their rights to become certified to receive victim notification. Five hundred and seventy-four letters or e-mails were sent to certified victims informing them of pending Board hearings, and input was received back from one hundred and fifteen victims.

Under new statutory authority which became effective July 1, 2008, the Board approved jail sanctions in lieu of revocation in 38 cases, and awarded a total of 18,917 days of parole good time off the maximum sentences of 157 parolees for compliance with the conditions of parole, thereby reducing statewide parolee caseloads by approximately 51 man-years. At an average

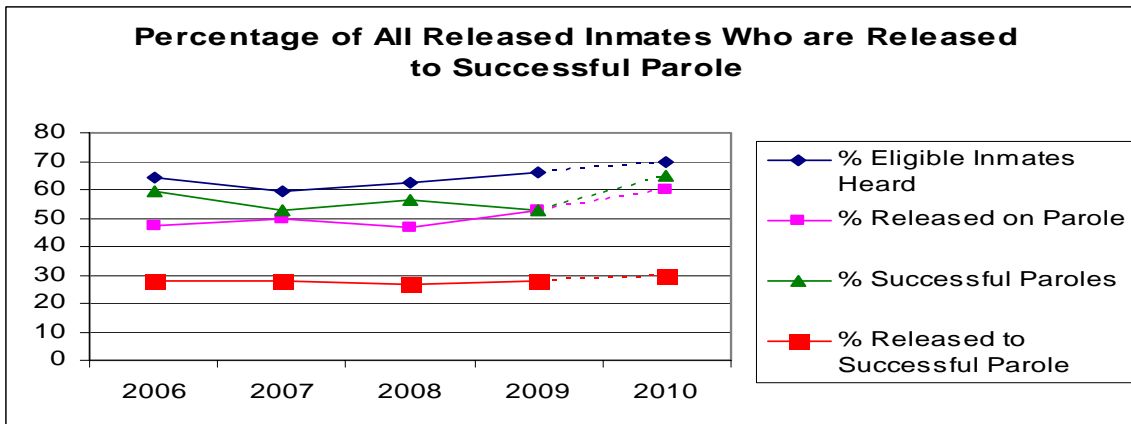
length of stay on parole of one and one-half years, this produced an annual reduction in parole caseloads of 34 individuals.

The biennium budget of the Board in for 2009-2010 was \$1,752,725 in appropriated general funds.

Performance Measures

The most important performance measures to the Board of Parole are:

#1:



Percent 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, which is an underlying factor driving the lead performance measure.

Percent 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, which is an underlying factor driving the lead performance measure.

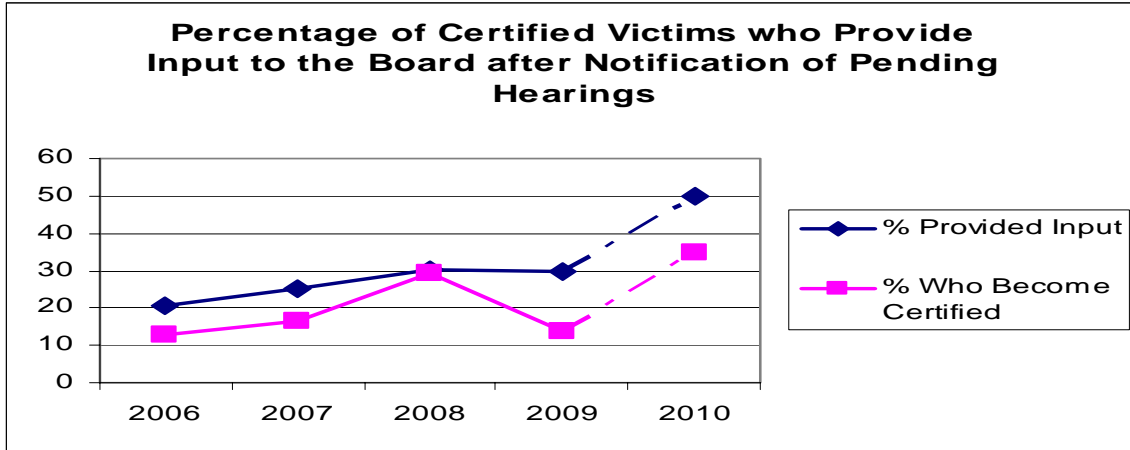
Percent Successful Parole = $\frac{\text{Parolee releases - revocations}}{\text{All Parole releases}}$

This measure provides the success rates for all inmates released to parole, which is an underlying factor driving the lead performance measure.

Percent Released to Successful Parole = $\frac{\text{Number Released to Parole - revocations - reparole}}{\text{Inmates finishing sentence in prison plus inmates released on parole}}$

This lead performance measure demonstrates how effective the Board is in fostering inmate releases to parole without revocations, as opposed to inmates who fail on parole or finish their sentences as an inmate rather than on parole.

#2:



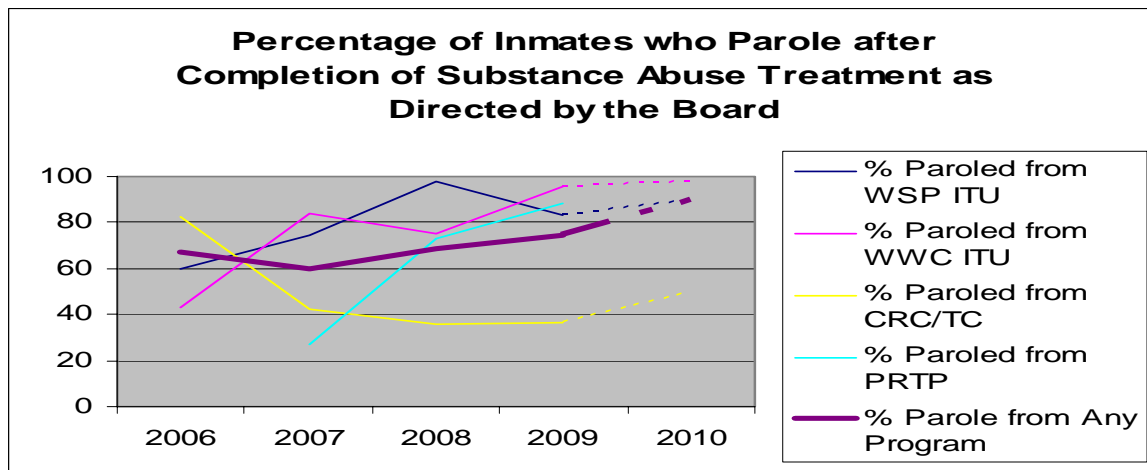
Percent Who Provided Input =
$$\frac{\text{Letters Received from \& Appearances by Victims}}{\text{Total letters sent by Board requesting input}}$$

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

Percent Who Become Certified =
$$\frac{\text{Victims Who Became Certified}}{\text{Initial Letters Sent}}$$

This graph measures the percentage of all victims who became certified to receive notification after being advised of their rights to become certified to receive notification, which is an underlying factor to the amount of victim input received by the Board.

#3:



Percent 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 substance abuse treatment program who completed the program and went to parole. Tracked programs are the men's and women's Intensive Treatment Units, the Therapeutic Community Program and the Parolee Residential Treatment program, which was discontinued this year due to budget cuts.

#1: Story Behind The Performance

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

This performance measure shows the percentage of inmates who are released to successful paroles versus those who fail on parole or are discharged from prison without a parole period. Releasing inmates who have engaged in rehabilitative programming into a structured, supportive environment in the community better serves public safety through a reduction in recidivism rather than permitting them to leave prison without preparation, assistance or supervision.

As reported in the last strategic plan, performance on this measure had dropped from the three year average preceding the previous biennium. Decreased performance was attributed to several underlying factors, including less paroles due to inmates not receiving adequate rehabilitative programming, high numbers of inmates waiving appearances before the Board, and an increase in revocations due to substance use. Despite a continued downward trend in FY 2008, gains in FY 2009 have brought performance nearly back to pre-FY 2007 levels.

This is the result of several strategies which were successfully implemented pursuant to the last strategic plan. Legislation was proposed by the Board and enacted in the 2008 Legislative Session (SF 032) which provided the Board with authority to award good time credits off the maximum sentence to inmates who went to parole status and complied with conditions of parole, and created a system of intermediate sanctions, including jail placements, as a response to violations in lieu of revocations. Parole Good Time provides motivation for inmates to engage in necessary programming and to seek paroles, as well as an incentive to perform well while on parole. Intermediate sanctions provide agents and the Board with a response short of revocation to address violations, thereby avoiding the loss of re-entry progress and impact on prison population associated with returns to prison.

Although it has only been in place since July 1, 2008, the Parole Good Time system appears to have had an impact on waiver rates, which have decreased more than six percent since 2007. Whether or not good time has reduced violations is more difficult to gauge, as the number of revocation actions initiated by agents increased from 99 in FY 2008 to 119 in FY 2009, with 52 of those actions resulting in revocation and returns to long-term incarceration, up from 38 revocations in FY 2008.

Usage of intermediate jail sanctions by agents was disappointing, with only 38 sanctions being imposed since implementation of that authority.

Wyoming Department of Corrections (WDOC) agreed to implement a pilot project involving a dedicated agent with a parole-only caseload to provide a more focused approach on re-entry issues, as opposed to most agents who have both probationers and parolees on their caseloads.

That has proven to be a success, and the Board will continue to prevail on WDOC to expand this project.

The Board received training through a technical assistance grant by the National Institute of Corrections (NIC) in the imposition of appropriate conditions in parole grants in a manner which is intended to help parolees to succeed while protecting public safety, rather than increasing the chances of failures. The Board has put that training into practice by more carefully tailoring conditions to assessed risks and needs of parolees.

Board administrators began providing regular parole orientation sessions to newly inducted prisoners at the Wyoming State Penitentiary (WSP) and Wyoming Women's Center (WWC). These sessions are intended to educate inmates about the benefits of seeking paroles and the parole process, and to motivate them to strive for a parole.

A study was conducted by a University of Wyoming Professor of Criminal Justice and a student intern into the reasons why inmates waived paroles. The primary factors identified as predictors of waivers were lack of family connections in the community and length of time remaining on the sentence. The Board can now factor the knowledge that inmates with less time left to serve are more likely to waive parole into decisions about the timing of parole grants.

Another study has been initiated by the Wyoming Statistical Analysis Center (WYSAC) with the support of the Board and funding from the Justice Research and Statistics Association to identify the factors surrounding revocations. The results of that study should provide direction to the Board and the WDOC in policies and best practices which will reduce revocations without adversely impacting public safety.

The Board is also supporting a joint application with WDOC for technical assistance from the National Institutes of Corrections' "Transition from Prison to the Community Initiative", which will consist of a three year program to implement best practices in re-entry.

Finally, in the 2009 Legislative Session, the Board was given statutory authority to require parolees, as a condition of parole, to participate in Court Supervised Treatment Programs ("Drug Courts") which exist throughout the State. These programs will help parolees avoid violating their paroles through substance violations and improve chances for long-term recovery from addictions, and will also provide yet another intermediate intervention in lieu of revocations for some parole violators. Preliminary agreements have been reached with two County Drug Courts to begin accepting parolees into their programs and efforts are planned to expand statewide.

What Do You Propose To Do To Improve Performance In The Next 2 Years?

The focus for improved performance into the next biennium will be on continued development of the many tools which have been put in place during this biennium. That means working with WDOC and outside sources of expertise to ensure that Parole Good Time, Intermediate Sanctions and Drug Courts are being utilized as effectively as possible in accordance with established best practices.

Various initiatives, including the Revocation Study mentioned above, and possible assistance from the NIC to develop a collaborative approach to implementing best practices in re-entry, will provide an impetus for the Board and WDOC to examine current practices and improve on them.

The Board will continue efforts to reduce numbers of inmates who waive parole. A more in-depth study of the reasons for waivers will be conducted by sending surveys to waiving inmates. Authority will be sought to increase potential parole good time awards from the current amount of 15 days per month to 20 days per month. Current Board policy which restricts parole good time earning for parolees with less than six months on their parole period will be re-examined. The Board will explore other parole good time incentives including special awards near the end of sentences to reward exemplary performance. A motivational video will be produced and disseminated to the prisons to encourage inmates to seek paroles. Training will be offered to institutional caseworkers in methods to improve parole rates, and a recognition program will be implemented for superior performance by caseworkers.

As institutional program availability becomes diminished due to budget cuts, the Board will shift reliance to available community programs to address parolee's criminogenic needs and risks. The Board will work with WDOC to streamline procedures for referral and acceptance of inmates into both institutional and community programs mandated by the Board as conditions of parole.

To summarize, many pieces have been put in place to improve performance and thereby improve the Wyoming Quality of Life in the last biennium. The next two years will be engaged in putting those pieces together to achieve their full advantage. The result is expected to be continued improved performance.

#2: Story Behind The Performance

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

The Board is dedicated to the proposition that victims not only deserve the right to understand and have input into the parole process, but that such input enables the Board to make better informed decisions which best accommodate victims' unique concerns and issues and public safety in general.

Accordingly, this performance measure is based on the percentage of victims who, having been notified of upcoming decisions and asked to provide input, elected to provide input for the Board's consideration.

Contributing factors include outreach efforts by the Board's Victim Services Coordinator to educate victims and statewide Victim Advocates about notification rights and the importance of input.

Personal appearances by certified victims before the Board increased by almost 50 percent from FY 2007, and use of e-mail to provide written input increased by 33 percent under a program established in this biennium.

However, the overall percentage of certified victims who provided input after being notified of hearings and the percentage of victims who opted to become certified to receive notification after having been informed of their rights dropped during this biennium. Sufficient data analysis is

not available to fully explore all of the potential factors which might be behind this trend, but Board outreach efforts to encourage victims to become certified is one clearly identifiable factor which can be improved upon.

What Do You Propose To Do To Improve Performance In The Next 2 Years?

Outreach activities to encourage input from certified victims will continue.

A concerted effort to get more victims to become certified to receive notification will include:

- In-person training to Victim Advocates throughout the state to educate them about the certification process and to emphasize the importance of notifying victims to become certified.
- A rewrite of the initial rights-advisory letter to make it shorter, simpler and more understandable to victims in how to apply for certification.
- Follow-up contacts with victims who do not become certified after initial advisement of their notification rights.

An Attorney General's opinion will be sought to clarify the definition of "victims" who are entitled to notification. Under current practices, this includes entities such as banks, stores and insurance companies who may have suffered indirect pecuniary losses as the result of crimes, but it is not clear whether they may be entitled to notification. If the definition is narrowed, it will allow greater concentration of effort on individuals who suffer direct harm from crimes and are more likely to want to provide input to the Board.

Methods to increase general public awareness about victims' rights to be informed about and to provide input into paroling decisions will be explored and implemented.

#3: Story Behind The Performance

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

This biennium 75 percent of inmates who were granted a parole to become effective upon completion of one of WDOC's residential substance abuse treatment programs successfully completed the program, reflecting a 9 percent improvement over the previous biennium. Inmates' completion of needed substance abuse treatment is critical to the Board's goal of reducing the cycle of recidivism and returns to prison. Nationally, approximately one-third of prisoners are incarcerated for drug offenses, while up to 80 percent of all crimes involved drugs or alcohol. Accordingly, the Board continues to promote completion of indicated treatment programs as a pre-condition for release to parole.

What Do You Propose To Do To Improve Performance In The Next 2 Years?

The Board will continue to work with WDOC to expedite treatment program placements of inmates who have been granted paroles to be effective upon completion of the program.

Board staff will continue to aggressively track these cases and intervene in individual cases to facilitate placements when there are significant delays.

New authority to parole inmates into community-based drug court programs will be developed as an after-care component for inmates who have completed residential treatment while incarcerated, in order to improve on long-term successes.