

Wyoming Board of Parole

Strategic Plan

2019-2020

I. Quality of Life Result

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

II. Agency Name and Number

Wyoming Board of Parole - 081

III. Contribution to Wyoming Quality of Life

The Wyoming Board of Parole's (Board) formal statement of its mission is:

The mission of the Board is to conduct prompt, fair, impartial hearings on the matters brought to its attention and take appropriate action. Consideration will be given to public safety, victims and the treatment and control of the offender.

This mission guides the Board in making the critical decisions whether or not the release of inmates from the prisons to supervision in the community is in the best short and long term interests of public safety.

Board Policy recognizes the punishment, deterrent and incapacitation purposes of sentencing in criminal cases. However those concerns are balanced by the knowledge based on evidence that the majority of inmates will have better long term success if released to a period of community supervision before they finish their sentences rather than finishing their sentences in prison and coming back to the community with no supervision or support. The Board's mission is further informed by the belief that offenders should be viewed as human beings who are capable of positive change, that the Board plays an important role in fostering such change and that all offenders should be given a fair chance to benefit from change opportunities.

One reason why parolees fare better after release from prison is the Board's requirement that they successfully complete recommended rehabilitation programs and exhibit acceptable behavior in prison before release. Equally important is the assistance they receive in planning for community reentry. Next, supervision in the community provides the necessary monitoring and assistance to help develop patterns of behaviors which will best ensure successful long term reintegration. Finally, evidence shows that the longer inmates remain in prison, the more likely they are to reoffend after release.

The timing of parole release is contingent on two primary factors. First, in imposing the term of years of the minimum sentence, the sentencing judge expresses his or her judgment, based on all sentencing factors including the crime and criminal history of the defendant and the impact of the crime on the victim, as to the minimum amount of time to be served before parole may be considered. When the minimum sentence has been served, the Board, in its judgment, and in consideration of the crime and criminal history, rehabilitative progress, victim impact and reentry plan, determines whether release to parole is in the best interests of public safety, victims and rehabilitation of the inmate.

The Board's work contributes significantly to the quality of life in Wyoming communities. Reduced recidivism means fewer crimes and less victimization of citizens. Lives of offenders and their families are restored.

IV. Basic Facts

The Board is a separate operating agency comprising seven Board members with administrative and operational support provided by seven staff members including an Executive Director appointed by the Board.

Board members are gubernatorially appointed to serve six year terms. The statutory criterion for appointment is that no more than four members may belong to the same political party. Members work part time, receiving the same pay as legislators for days worked at hearings, business meetings, training and other Board-related activities. The members appoint a non-member Executive Director who is responsible for overall management of the agency and its operations.

Hearings are conducted at least once each calendar quarter at each of the five WDOC facilities and two of the Adult Community Corrections facilities for a minimum of 24 hearing sessions per year. Inmates with sentences of less than 6 years receive their first hearing in the quarter preceding the quarter in which they will complete their minimum sentences, making them eligible for parole, and, if denied, may appear during the same quarter in succeeding years. Inmates with sentences of 6 to 15 years receive their initial hearing one year before their earlier projected parole eligibility date, specifically during the quarter preceding the quarter in which their eligibility falls. Inmates with minimum sentences of more than 15 years receive their initial hearings further in advance of eligibility—3 years—as an opportunity for the Board to gain familiarity with the inmate and motivate positive behaviors.

Prior to hearings, the members review all file materials on each inmate they will interview, including WDOC reports on the crime, criminal and family history, assessed risks and needs, institutional adjustment and behavior, victim input and parole plans. For each hearing session, three members located throughout the State and at least two staff members travel, by land and by air, to convene at the hearing location. Usually around 25 inmates are brought before the Board each day for parole hearings, and hearing sessions last from two to four days. The Board also conducts revocation hearings for parole violators and provides victim interviews upon request. Each member on average participates in 11 hearings per year and attends four business meetings, with additional training days.

At the parole hearing, the inmate may be asked to relate the facts of the crime, to describe his or her rehabilitative accomplishments and plan for reentry and may submit any special requests to the Board for desired action. WDOC caseworkers inform the Board about their views of the inmate's institutional performance and readiness for parole.

In each case, the three members of the hearing panel consider all material received, the testimony of the inmate, supporters/opponents, victims, case workers and counselors and, with fairness, impartiality and consideration of public safety, victims and treatment and control of the offender as their guide, decide whether the inmate will be paroled or spend another year in prison.

The following table summarizes the Board's activities in the last four fiscal years:

	2015	2016	2017	2018	2019
Hearing Days	61	57	64	71	71
Parole Interviews ¹	1121	1038	1295	1316	1272
Parole Grants	630	771	648	679	749
Parole Denials	480	274	340	373	261
Revocation Hearings	182	186	199	264	262
Revocations with Re-incarceration	95	85	76	99	95
Special Matters	145	155	69	106	144
Victim Interviews	79	72	70	88	56
Victim Input Letters Received	100	95	88	95	58
Initial Victim Letters Sent	759	688	709	727	507
Commutation Recommendations	5	5	1	0	0
Parole Good Time Days Awarded	76,357	86,137	83,877	101,789	93,428

The biennium budget of the Board for 2019-2020 was \$1,649,689.00 in appropriated general funds, with a \$14,025.00 grant from the Department of Victim Services to reimburse victims for travel to interviews with the Board.

V. Performance Measures

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

#1 – Percentage of Inmate Discharges vs Parole Discharges (See App. A - Graph #1):

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
% Discharged - Parole	54	58	63	68	58
% Discharged - Prison	46	42	37	32	42

$$\text{Percent Discharge from Parole} = \frac{\text{Discharged From Parole}}{\text{All Offenders Discharged}}$$

$$\text{Percent Discharge as Inmate} = \frac{\text{Discharged as Inmate}}{\text{All Offenders Discharged}}$$

Since 2013, this has been the primary measurement by which the Board has gauged the effectiveness and the value of its efforts. It shows for each year what percentage of offenders finished their sentence after a successful period of parole supervision as opposed to finishing the sentence in prison and leaving on their own terms. It is premised on the principle that offenders who successfully complete parole rather than languishing in prison until they complete their sentences have a better chance of sustaining a long-term law-abiding and productive life.

The measurement encompasses both the rates at which the Board granted parole and the

¹ Some hearings are conducted and no decision is reached, e.g. a case is tabled in order to receive more information, or a parolee with an existing grant appears to request a modification and no action is taken. Therefore, the total number of grants and denials does not exactly amount to the number of inmate interviews.

predictive quality of the Board's decisions in terms of rates of successful parole completion versus violations and revocations.

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
# Released To Parole	568	681	707	746	673
# Released From Parole	293	316	317	374	310
# Expirations	252	226	190	180	220
# Total Discharges	545	542	507	554	530

#2: Three Year Return to Custody for Parolee vs. Inmate Discharges for Any Crime
(See App. A - Graph #2):

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
% Parolee	19.3	14.4	15.8	20	26
% Inmate	28.3	29.5	21.1	20	22

Any Crime	<u>Commission of Any Crime</u> <u>Discharged from Prison</u>				
	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
# Parole Discharge	285	312	303	297	331
# Parolee w/ any offense	55	45	48	21	60
# Prison Discharge	212	240	274	274	246
# Prison discharge w/ any	60	71	58	42	50

This measure consists of two components based on returns to WDOC custody or supervision within three years after sentence completion. They are:

- Parolees who returned to WDOC within three years of successful completion of parole because of the commission of any crime (felony or misdemeanor); and
- Inmates who returned to WDOC within three years of discharge from prison because of the commission of any crime.

#3: Three Year Return to Custody for Parolee vs. Inmate Discharges for New Felonies
(See App. B – Graph #3):

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
% Parolees	9.5	6	6.9	9	12
% Inmates	28	20.8	15	14	14

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
# Parole Discharge	285	312	303	297	331
# Parole New Felony	27	21	21	27	41
# Prison Discharge	212	240	274	246	226
# Prison New Felony	60	50	42	35	31

This measure consists of two components based on returns to WDOC custody or supervision within three years after sentence completion:

- Parolees who returned to WDOC within three years of successful completion of parole because of a new felony conviction.
- Inmates who returned to WDOC within three years of discharge from prison because of a new felony conviction.

As seen, the measure provides comparative recidivism rates between paroles and inmate discharges, broken down by all crimes and felonies only. By such comparison, the Board is able to measure the quality of its decision-making as well as the value of releases to parole prior to discharge in reducing long-term reoffending. As one would expect, the results are largely better for parolees than for inmates. If the trend were to reverse, the Board would question the effectiveness of its decision-making.

A. Measure #1: Story Behind the Performance: Percentage of all offenders completing their sentences on successful parole.

During FY 2013, the Board began working with new performance measures as part of its strategic planning. With regard to Performance Measure #1, the number of offenders who successfully completed their sentence after parole supervision in 2015 was 293, compared to 252 offenders who finished their sentence in prison, for a ratio of 54% to 46%. From 2016 to 2018, successful parole completions trended higher than prison completions. However, in 2019, it was reported that 310 offenders successfully completed parole compared to 220 inmates finishing their sentence in prison, which saw a return of the ratio of 54% to 46% parole completion versus prison completion.

B. Measures #2 & #3: Story Behind the Performance: Three year recidivism rates for offenders who completed their sentences upon successful completion of parole versus offenders who completed their sentences in prison.

Concerning Performance Measure #2, for the first time in several years, in 2016, more parolees were returned to Wyoming Department of Corrections (WDOC) custody for commission of any crime within three years of discharge than were inmates. In 2013, 55 parolees of 285 who discharged their sentences three years earlier were returned to WDOC custody for the commission of any crime, at a rate of 19.3%. Those who discharged their sentences in prison, however, were returned at a much higher rate: 60 of 212, for a rate of 28.3%. In 2016, although both the number of parolees returning for a new crime and the number of inmates returning increased from 2013's levels, the relative number of parolees grew more, and the percentages changed to 26% for parolees and 22% for inmates.

However, as seen in Performance Measure #3, from 2012 to 2016, fewer parolees were returned to prison for new felonies after three years than those offenders who finished their sentence as inmates. In 2012, 27 of the 255 parolees who had discharged their sentences three years earlier were returned to WDOC custody for the commission of any crime, at a rate of 9.5%. Those who discharged their sentences in prison were returned at a much higher rate—60 of 212—for a rate of 28%. In 2016, the percentages changed to 12% for parolees and 14% for inmates.

VI. Strategies To Improve Performance In The Future

Although the performance measures used since 2013 provide information generally related to outcomes of parole, they do not indicate what can or should be done to improve those outcomes. To improve performance in the future, the Board will employ a three-pronged approach. First, with regard to those performance measures, the Board will need to validate those measures and their use in future planning. In 2013, the Board applied for and received technical assistance from the U.S. Department of Justice, through the National Parole Resource Center, in its strategic planning. A facilitator worked with the members of the Board in two day and a half planning sessions to develop performance measures and strategies to improve performance. Those efforts yielded the measurements discussed above. The Board now has multiple years of data to reflect upon, and at the time of this writing, have not yet met to discuss the results in detail and finalize any action plan to address potential concerns. During the next two years, however, it will engage in an examination of the data associated with those measures and determine if such measures continue to have relevance and effect upon the Board's operations and criminal justice efforts in Wyoming. Given that such measures do not necessarily offer clear insights into what programs, conditions, or other factors positively or negatively influence parole outcomes, it seems likely that the performance measures described above may need to be altered—or perhaps added to—to truly improve performance.

Second, the Board will continue to work with other criminal justice stakeholders in the executive, legislative, and judicial branches of government to explore options to help reduce and more effectively manage Wyoming's offender population. During the 2019 session, the Wyoming State Legislature enacted legislation directly relating to probation and parole cases in an effort to do just that, in part by reducing the numbers of offenders returning to Wyoming's prisons. Even before the legislation was passed, however, the Board took positive steps to reduce the number of revocations, including by training and advising parole agents on alternative methods of gaining compliance with parole conditions and modifying conditions to improve potential outcomes. Since then, the Board has continued to work with other stakeholders—specifically including the Wyoming Department of Corrections and the Joint Judiciary Interim Committee—to ensure that the best practices are followed and, when necessary, to suggest positive changes to the applicable law. The Board also is working on such proposals as changes to the good time rules, which should allow for the more effective use of facilities, programs, and other resources.

Third, the Board will undertake additional training and a systematic review of internal policies and procedures to ensure efficiency and effectiveness. Fiscal Year 2019 saw turnover in Board office and in the Board itself. In July 2018, the Board lost its Executive Director, Deputy Director, and Victim Services Coordinator. An interim Executive Director was employed during August and September; during this time, a permanent Executive Director and Deputy Director were hired, and they began their work in September and October 2018, respectively. In November 2018, the Board Secretary was terminated, and one of the two Board Assistants temporarily took over those duties. The other Board Assistant was hired as the Victim Services Coordinator and began working primarily in that capacity in December 2018. In January 2019, the Deputy Director took another position within State government. The Board Secretary was hired in February, the second Assistant was hired in March, and the new Deputy Director was hired in April. Thus, the office is now fully staffed, but most of its employees are relatively new to their positions.

In addition, the membership of the Board has changed. Approximately two years ago, two new members took their positions on the Board. This year, two other members have left: one in March, and the second in July. One of these members has been replaced, and the other is expected to be appointed soon. Even so, over half—four of seven—of the Board members will have less than three years of experience.

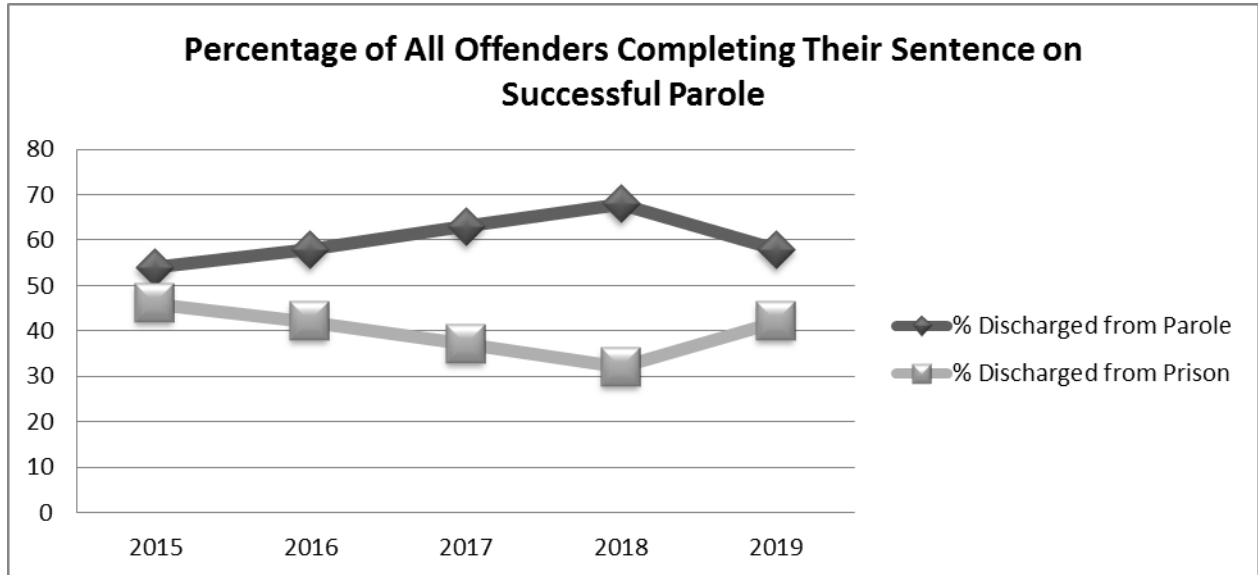
In light of such changes in personnel, the Board anticipates further reorganization of duties and training of both members and staff. In the past, the Board has actively participated in different professional groups and organizations relating to parole. It anticipates a return to doing so in the future. Further, staff will continue to provide quarterly and other reports to the members on critical indicators of performance. Such reports include basic information including numbers of cases heard, paroles granted, and revocations adjudicated. Ongoing review of the factors which affect performance on parole on a continuing, real-time basis will enable the Board to proactively identify and address performance issues in a more timely fashion.

In addition, improved efficiency must involve the constant and orderly evaluation of Board policies. Over the years, the Board has made several changes to its policies and procedures, many of which have been designed to improve and simplify the parole process. However, in more recent years, there do not appear to have been any systematic reviews of policies and procedures to ensure compliance with the applicable law and with current best practices. Such review will be part of the Board's efforts to improve performance.

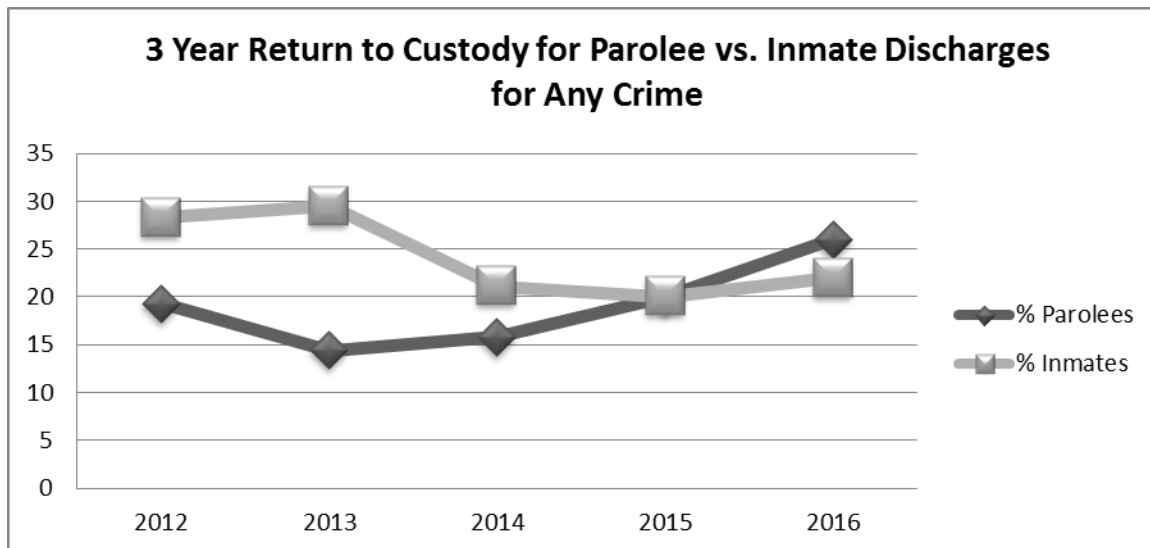
In sum, in the coming the years, the Board will continue to pursue its mission of conducting prompt and fair parole hearings for the State of Wyoming, and it will do so with consideration of public safety, victim concerns, and awareness of the capacity for human change. In performing its primary mission in such manner, the Board will seek to stay educated upon current best-practices and other innovations that emerge in the process of safely transitioning offenders back to the community.

Appendix A

Graph #1



Graph #2



Appendix B

Graph # 3

