

FINANCIAL COSTS ATTRIBUTABLE TO THE "NEW" PAROLE BOARD

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The composition of the Massachusetts Parole Board underwent a significant reorganization after the end of 2010. This change resulted from the murder of police officer John Maguire by Dominic Cinelli, a previously paroled felon, on December 26, 2010 during his escape from a jewelry store robbery. As a result, the Governor demanded the resignation of the five (of seven) members of the Parole Board who were in office at the time Cinelli's parole was granted. The Parole Board was then reconstituted by the appointment of five new members, including a new chairman, with predominant prosecutorial backgrounds to make up the "New" Parole Board. Since the change in the membership, the Parole Board has revised policies and has subsequently released substantially lower percentages of those prisoners eligible for parole. This analysis will compare the paroles granted during 2009/2010, the last two years under the "old" Parole Board with the paroles granted during 2011/2012 by the "new" Parole Board.

The Parole Board separately reviews both State and County prisoners' eligibility for parole. For both State and County prisoners, a larger group is reviewed during "Release" hearings (those eligible for a first-time release from their original sentence or for release from reincarceration after a prior revocation) and a smaller group is reviewed during "Revocation" hearings (to determine whether a previously granted parole should

be revoked after technical violations or pending new offenses). As is apparent from the following data, all these groups are being paroled at significantly lower rates by the current Parole Board than by previous Boards. This results in serious economic consequences to the Commonwealth, totaling more than \$73 million/yr in additional costs of incarceration.

The TABLE compares the percentages of prisoners eligible for parole who were granted parole in 2011/2012 with the percentages granted parole in 2009/2010 and estimates the added costs resulting from this change. To further validate the relevance of this comparison, it is important to note that the two year average paroling rates for 2009/2010 accurately reflect paroling rates for at least five years before the arrival of the current Parole Board.¹ The overall paroling rate for 2009/2010 was 63.5% (11,084 of 17,445 hearings) while for 2011/2012 the "New" Parole Board paroled only 50.4% (7,242 of 14,357 hearings), a 13% lower rate. Had the "New" Parole Board paroled prisoners at the same rate as prior Boards, 1854 more prisoners would have been released. The incremental added costs of keeping the additional parole eligible prisoners who would otherwise have been released prior to the appointment of the current Parole Board is calculated in the table. The annual cost for this decrease in State paroles is estimated at \$26.3 million/yr and the cost for the decrease in County paroles is estimated at \$47.2 million/yr.

¹ The 2006 -2010 five year average for State releases is 61%; cf. with 62% for 2009/2010 average. Similarly, the five year average for County releases is 67%; cf. with 66% for 2009/2010 average.

Even if some County prisoners were to complete their sentences in under one year after being denied parole, the cumulative delay in the release of such a large number nevertheless will lead to a great and unnecessary expense.

Furthermore, all of these prisoners will all be released eventually and now without post-release supervision or assistance from parole officers, thereby resulting in higher recidivism rates, a lose-lose situation. Meanwhile, crime and violence rates have undergone only minimal and variable changes². These variable trends strongly argue that there has been no measurable improvement in public safety because of the retention of these otherwise parole eligible prisoners. In short, the Governor's emotional, knee-jerk reaction in response to one rare, deplorable and unfortunate event has had serious financial consequences for the Commonwealth, with no apparent improvement in public safety. This poorly considered action by Governor Deval Patrick has cost the Commonwealth some \$200 million since 2010 and this expense will continue at some \$70 million per year for each future year that the parole rates remain at the 2011/2012 levels.

2. Boston Globe: Cramer M. "Mixed Picture on City Crime", 12/31/13, A1; Cramer M. "Early-year Killings Climb", 1/28/14, A1; Allen E. "Police, Community Groups Meet on Violence", 2/14/14, B2; Allen E. "Police See Results in Stemming Violence", 5/22/14; Sampson ZT & Jacques N. "5 Shot, 2 Stabbed in Weekend Violence" 7/21//14, B3.

TABLE: COMPARISON OF 2009/2010 vs. 2011/2012 PAROLING RATES ON
NUMBER OF PAROLES GRANTED AND INCREMENTAL COSTS

Years	Type of Hearing	# of Hearings	Granting Rate	Number Granted	# Granted @ 2009/2010 Rate ^a	Difference ^b in # Granted	Estimated added Annual Cost ^c
2009/2010	State Release	3338	62%	2074	2074	--	--
2011/2012	State Release	3252	45%	1470	2016	546	\$ 24.8 Million/yr
2009/2010	State Revoked	498	47%	234	234	--	--
2011/2012	State Revoked	314	36%	114	148	34	\$ 1.5 Million/yr
STATE SUBTOTAL							\$ 26.3 Million/yr
2009/2010	County Release	12936	66%	8537	8537	--	--
2011/2012	County Release	10159	54%	5483	6704	1221	\$ 45.2 Million/yr
2009/2010	County Revoked	673	36%	239	239	--	--
2011/2012	County Revoked	632	28%	175	228	53	\$ 2.0 Million/yr
COUNTY SUBTOTAL							\$ 47.2 Million/yr
GRAND TOTAL							\$ 73.5 Million/yr

^a Number calculated by applying 2009/2010 paroling rate to # of hearings.
^b # of additional paroles granted if 2009/2010 paroling rate were applied to 2011/2012 hearing #.
^c Estimated annual cost for state prisoners = \$45,500/yr; for county prisoners = \$37,000/yr (from Forman, B. and Larivee, J., "Crime, Cost, and Consequences". Massachusetts Institute for a New Commonwealth (MassINC), March 2013).