

# Inside The Box

## A Prisoner Tells His Tale



Matthew Hattley

### Parole Decision: The Breakdown

Every person receiving an "indefinite" sentence will automatically be scheduled to see the Parole Board—usually four months prior to completing their minimum term. Regardless of which prison they are at when this date arrives, a hearing will be conducted.

This is the average parole decision: "Denied — Hold For 24 Months: Next Appearance Date..." More than 70 percent of individuals eligible for parole/release read these very words every year. The majority are non-Caucasian. It costs taxpayers around \$140,000 for those additional two years for every inmate.

This is how the average Conditions of Release/Staff Instructions/Reason for Denial begins: "AFTER CAREFULLY REVIEWING YOUR RECORD, A PERSONAL INTERVIEW AND CONSIDERING STATUTORY REQUIREMENTS, AFTER DUE DELIBERATION, THIS PANEL CONCLUDES THAT DISCRETIONARY RELEASE IS DENIED." How do you "carefully" review a person's prison history — usually at least 15 years — in a matter of several minutes? It should be carefully reviewed over a period of several weeks — you do not want to risk missing and/or overlooking any critical data. Or is that the intention from the start?

The Parole Commissioners also state: "YOUR RECORD INCLUDING YOUR RELEASE PLANS, YOUR PAROLE PACKET, SENTENCING MINUTES HAVE BEEN REVIEWED AND CONSIDERED." For most, this entails over fifty pages of factual documentation. It's impossible for anyone to carefully read and analyze all this

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important information in an average fifteen minute hearing. If they were to actually review everything they claim to, this would require — at a minimum — several hours per hearing.

I challenge anyone to pick up your local newspaper, read the entire thing cover to cover, and while doing so, examine and determine the importance of every article and advertisement. How can anyone, honestly, expect someone to determine our fate in the average fifteen minutes of a parole hearing? And remember, they get paid \$101,000 a year for this. You might expect a more in-depth due process in the review of our files/records.

Now, personally, I believe that "DISCRETIONARY RELEASE SHALL NOT BE GRANTED MERELY BECAUSE OF GOOD CONDUCT AND PROGRAM COMPLETION WHILE CONFINED." Yet, this aspect of things should play a major role in their decision making process. This exhibits our ability to evolve to a higher quality of living and behavior. It should not simply be ignored just because they feel it holds no relevance in their ill-conceived agenda.

Then there's this statement, "AFTER REVIEWING YOUR OVERALL RECORD AND STATUTORY FACTORS, DISCRETIONARY RELEASE IS NOT WARRANTED AS THERE IS A REASONABLE PROBABILITY YOU WOULD NOT LIVE AT LIBERTY WITHOUT AGAIN VIOLATING THE LAW." How are they arriving at this conclusion? After fifteen minutes? Especially as the majority of us haven't shown any indication of a probability of violating the law over the duration of our sentence. It's actually quite the opposite— we've displayed positive changes throughout our incarceration. How are they able to foresee and predict what any of us, or anyone in general, will do in the future? Unless they are gifted with psychic abilities.

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Finally: "YOUR RELEASE WOULD BE INCOMPATIBLE WITH THE WELFARE OF SOCIETY AND WOULD SO DEPRECATE THE SERIOUS NATURE OF THE CRIME AS TO UNDERMINE RESPECT FOR THE LAW." Incompatible in what regard? Correct me if I'm wrong, but didn't the judges, in courts of law, sentence us to the minimum term based on the above factors?

Specifically the "serious" nature of the crime." That's why we've been in here for fifteen to twenty five years. If the judges felt our crimes demanded more time, then our sentences would reflect that fact. In essence, with this statement, the Parole Commissioners are saying that the judges lack the competency to interpret the law.

Now, I do understand and respect the position of all concerned citizens. If you commit a crime you should do the time. I will not dispute that, especially since my case involved the loss of a human life, something I will never be able to reverse, regardless of how much I might wish to. Yet, where do you draw the line regarding the Parole Board's actions in constantly re-sentencing us every two years?

If we were sentenced to life without the possibility of parole, things would be viewed differently. However, when the judges sentenced thousands of us, more than two decades ago, it was stipulated that as long as we followed all the rules and regulations surrounding our extended incarceration, that there was a strong probability that we would be released after completing our minimum sentence.

Unless, of course, we chose to break the rules or the laws. Then, and only then, the additional time could be seen as justified. Other than that, those additional years, that far too many of us experience on a regular basis, can only be seen as cruel and unusual punishment. How can this be seen as anything other than injustice?

Vengeance is not something a civilized society pursues, JUSTICE is.

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