



PAROLE ESSENTIALS: PRACTICAL GUIDES FOR PAROLE LEADERS

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Core Competencies

A Resource for
Parole Board Chairs,
Members, and
Executive Staff

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Foreword

Paroling authorities play a critical role in correctional systems nationwide. They make thousands of decisions each year about the timing of release from prison for a significant number of offenders. They set conditions of release and respond to violations of postrelease supervision for many thousands more. Recognizing this critical role, the National Institute of Corrections (NIC) is engaged in a major initiative to develop useful resources for parole board chairs, members, and their executive staff. In 2008, the initiative sponsored the development of the *Comprehensive Framework for Paroling Authorities in an Era of Evidence-Based Practice* (Campbell 2008). The *Comprehensive Framework* provides an overview of how the role of paroling authorities is, and should be, changing to meet the challenges facing the corrections field as it looks forward to the second decade of the 21st century. NIC has also made parole training curricula, delivery, and technical assistance available as part of the initiative.

As an additional part of this initiative, NIC has commissioned the development of a series of five papers entitled *Parole Essentials: Practical Guides for Parole Leaders*. This series builds on the *Comprehensive Framework* and provides concrete guidance on implementing the principles that it outlines. The series is composed of an informative set of products focused on the unique challenges facing parole leaders; it will assist them in further honing their technical skills, clearly defining their roles and responsibilities, and supporting effective practice. This document, *Core Competencies: A Resource for Parole Board Chairs, Members, and Executive Staff*, is the first of the series and is intended to both outline the complex and varied challenges facing paroling authorities and identify and nurture the skills needed to address those challenges. It is also a resource for appointing authorities as they consider candidates for critical positions as paroling authority members and chairs.

The competencies described in this document are complex. It is NIC's hope that this document will serve as a resource toward professional excellence for the parole community.

Morris L. Thigpen

Director

National Institute of Corrections

Preface

For many years, the National Institute of Corrections (NIC) has been developing diverse resources and supports for correctional leaders through training, technical assistance, and a wide range of literature and web-based tools. In 2008, NIC commissioned a series of five papers on parole entitled *Parole Essentials: A Practical Guide for Parole Leaders*, which address the current and very specific challenges facing those who chair or sit as members of paroling authorities and executive staff. *Core Competencies: A Resource for Parole Board Chairs, Members, and Executive Staff* is the first in this series. Subsequent publications in the *Parole Essentials* series will address evidence-based decisionmaking for paroling authority members, strategic management, and supervising special populations.

Core Competencies works in tandem with the other papers in the *Parole Essentials* series and complements NIC's *Correctional Leadership Competencies for the 21st Century: Executives and Senior-Level Leaders* (Campbell, 2005). In the author's extensive treatment of correctional leadership, she addresses the broad issues of ethics and values; the essential role of leaders in articulating a vision and mission; the importance of strategic thinking, planning, and performance measurement; and the challenges of managing both the external environment and internal resources. She offers a wide range of guidance and practical tools, from assessing one's own leadership skills to overcoming resistance, and provides a foundation of practice for all correctional leaders, including parole board chairs, members, and executive staff.

Yet these parole authorities also have responsibilities and roles unlike any other in the criminal justice system. Their roles in discretionary release decisionmaking (in about one-third of all releases from prison), in setting conditions of release and supervision (in the vast majority of releases from prison), and in responding to parole violations all carry unique challenges. *Core Competencies* focuses on those challenges in three dimensions:

1. Responsibilities inherent to leading a paroling authority in the criminal justice system and in the environment beyond.
2. Responsibilities inherent to effectively managing the organization and resources of a paroling authority.
3. Unique challenges of deciding individual cases for release, setting conditions, and responding to violations.

Core Competencies is a resource for the men and women who fulfill the unique challenges of parole and the appointing authorities who seek and commission their service.

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Introduction

Parole board members and parole executives must daily complete a wide range of tasks that have extraordinary effects on millions of lives. Although parole board members number only about 325 individuals (Kinnevy and Caplan 2008) among the more than 463,000 employees of state correctional systems (Hughes 2006), they wield extraordinary influence on public safety and the use of public resources. Although discretionary parole release has been decreasing as a percentage of all releases from prison, more than 176,000 individuals were placed on parole in 2006 by virtue of a discretionary decision by a parole board (Glaze and Bonczar 2007). On any given day, more than 820,000 individuals are under parole supervision. Virtually all of them are supervised under conditions set by a parole board (Glaze and Bonczar 2007, 2008) and can be returned to prison for violating those conditions. During 2006, parole boards returned more than one-quarter of parolees to prison with no new criminal sentence as a result of a parole revocation (Glaze and Bonczar 2007). The policies and practices of parole officials, which shape and guide these critical decisions, affect public safety and the allocation of many millions of dollars in resources each year.

Background

Given the critical nature of these responsibilities, parole board members and those who appoint them must understand and strengthen their awareness of the knowledge, skills, and abilities—or core competencies—required for this specialized area of criminal justice. This paper identifies the core competencies that parole board members and parole executives should possess to perform their public duties effectively.¹ This guide discusses the competencies in detail so that board members and executives can consider the opportunities they have available to develop or improve particular skills essential to their work. The paper also highlights those resources, references, and other materials that may be of interest or assistance to board members and executives.

Examining core competencies offers insight into the complex role of parole board members and executives, not only as public

servants who make individual parole or clemency decisions, but also as leaders who create a vision and implement strategic policies with far-reaching implications for public safety and the prudent use of public resources. With a better appreciation of the nature, influence, and scope of parole work, officials making

OTHER PUBLICATIONS IN THIS SERIES

This is the first of five publications in a series entitled *Parole Essentials: Practical Guides for Parole Leaders*, which is sponsored by the National Institute of Corrections. Future publications in this series will focus on other critical parole topics, including strategic planning, evidence-based practices, collaboration, and special offender issues.

¹ NIC is also developing a training resource for parole board members. The competencies discussed in this paper closely parallel the competencies to be addressed in this training. The competencies will also lead NIC consultants Betty Gurnell and Susan Yeres in the development of an occupational profile of parole board members and executives.

parole board appointments—and the candidates for those appointments—will have a better understanding of the skills, knowledge, and abilities needed to perform parole duties and responsibilities effectively.

Organization

Core Competencies chapter 1, “The Broad Context of Parole Work,” addresses the broad landscape in which parole operates, focusing on the interconnectedness of parole with other parts of the criminal justice system, governmental and nongovernmental organizations, and other non-criminal justice entities. Although parole operations and decisionmaking sometimes appear to be isolated processes in the criminal justice system, the cumulative result of individual decisions has a far-reaching effect. Chapter 1 explores the need to understand this phenomenon and collaborate with system partners to achieve collectively desired outcomes.

As key stakeholders and leaders in the criminal justice system, parole board members and parole executives must appreciate the significance of their actions, policies, and decisions with respect to the effectiveness and credibility of parole in their jurisdiction. Effectively communicating the vision and actions of parole to external entities (e.g., Governors, legislators, media, civic organizations, victim advocacy groups, members of the public) is critical to the success of a parole organization. Chapter 1 discusses the skills necessary to build and maintain these relationships.

Chapter 2, “Discharging Duties Effectively,” focuses on the critical nature of the positions that board members and executives hold in their organizations. Establishing appropriate vision, mission, and direction is essential to the vitality of their organizations. The chapter discusses a board’s need to engage in strategic planning, team building, policy development, and effective internal communication as well as hone key skills in administration, human resources, and budgeting.

In the past 20 years, extensive research has helped identify effective practices and approaches to modifying offender behavior and reducing recidivism, supporting what are now termed “evidence-based” practices. The second paper in the *Parole Essentials* series addresses this research in detail, though the core competencies introduced in this paper represent the use of evidence-based research as one key tool available to parole board members and executives to ensure that internal policies, practices, and direction can be best informed.

From the earliest days of parole as an institution, individual case decisionmaking has been a core function. Building on a discussion of the broader criminal justice system and the challenges of managing a parole board’s internal organization in chapters 1 and 2, in chapter 3, “Individual Case Decisionmaking,” this guide focuses on individual considerations in case decisionmaking. The chapter includes information on the use of objective assessment tools and the importance of clear decision-making guidelines regarding release and violation responses.

Chapter 3 also addresses the importance of seeing individual case decisionmaking within the larger framework of parole. Although each individual case is of critical importance—in protecting public safety on the one hand and assuring fairness on the other—it is the cumulative effect of case decisionmaking that allows a parole board to accomplish its overall goals. When parole authorities view parole primarily in the narrow context of an individual case, they often evaluate parole only on the outcomes of that case. Yet because no parole board can guarantee the future conduct of any person in the face of some unfortunate turn of events, it places parole board members and executives in the difficult position of attempting to explain why they made one decision over another. Without the identification, development, and demonstration of core competencies—competencies that lead to clear policies, guidelines, and decision-making tools that can withstand scrutiny—parole members and executives will forever be subject to an analysis of their work solely on the basis of a single outcome or decision.

Thus, individual case decisionmaking skills are clearly critical. Chapter 3 discusses competencies regarding the ability to evaluate information effectively, conduct interviews or hearings with inmates, interact with victims or other citizens, engage in file reviews, and make decisions individually or with other parole officials. The chapter also addresses the importance of having the interpersonal, intellectual, and professional ability to carry out duties appropriately within the often highly charged atmosphere of the parole world.

Each chapter comprises several sections outlining core competencies, and each section concludes with a review and a series of followup questions. Available resources, opportunities for skill-building on these topics, and other steps that parole authorities can take to increase competencies in each area are outlined. An appendix compiles all the core competencies into a complete list at the end.

The Broad Context of Parole Work

Historically, many have viewed parole as being entirely about singular case decisions—one case, one decision, or one outcome. However, parole also concerns significant public policies and practices that affect millions of people and millions of dollars in resources. To operate effectively, appropriately, and knowledgeably in this context, parole board members and executives must demonstrate various critical competencies.

Parole's Function, Purpose, and Role in the Criminal Justice System

A reasonable starting point in considering the competencies that parole board members and executives must have is an examination of the circumstances that led jurisdictions to establish parole. In the mid-1800s, Australia, England, and Ireland largely developed the concept of parole. In the latter part of that century, jurisdictions in the United States developed their own early experiments in parole. By 1900, some system of parole existed in 20 states, and by 1922, it had spread to 44 states, the federal system, and Hawaii (Goldfarb and Singer 1973). By 1945, every state had made some form of parole part of its criminal justice system. Many states created parole for two reasons:

1. They quickly realized that prison bed spaces were expensive. Parole helped conserve limited criminal justice resources.

2. They believed that after serving a length of time that reasonably satisfied punishment requirements, inmates would no longer need further incarceration and could be released safely into the community.

(See, for example, S.C. Code of Laws, Section 24-1-10, 1976, as amended.)

Parole board members and executives should be familiar with the specific legislative enactments that established and, over time, modified parole in their own jurisdictions. Parole board members and executives who implement parole should thoroughly understand the legislative findings, pronouncements, and broad public policy expectations associated with parole. Therefore, the first core competency for parole board members and executives is to know and understand why their state created parole in their jurisdiction and to understand its broader public policy expectations and implications.

Core Competency 1: *Understand the functions, purpose, and role of parole in your jurisdiction and be an advocate for parole with other key government officials.*

The Role of Parole Legislation

If legislation reflects a belief in the rehabilitative power of corrections, then parole organizations should understand this attitude and integrate it into their policies and practices. If specific legislative language outlines particular objectives (such

as promoting public safety), then parole board members and executives should consider the opportunities they have in both policy and practice to advance this objective. If parole legislation discusses matters such as cost effectiveness, offender rehabilitation, or special conditions for particular types of offenders, then parole organizations must ensure they understand and

appreciate this information. Understanding the public policy reasons for establishing parole helps parole board members and executives become more effective and integrate policy into practice. Parole and the rules, methods, procedures, and statutes that govern it reflect specific public policy choices that parole authorities and organizations must appreciate.

Parole Systems Vary From State to State

The functions, authority, and responsibilities of parole are created through legislation and, in some cases, the regulations promulgated through states' administrative acts, which carry the force of law. Although certain similarities exist among all states (e.g., the authority to establish the conditions that inmates must follow once they are released from incarceration), jurisdictions vary tremendously in perspective, terminology, and practice.

Some states do not even use the term "parole," although many elements of parole are present; they may refer instead to "post-prison transfer" or "earned release." The parole board's responsibilities in determining an initial release date, delaying release if officials have denied initial parole, making violation decisions, and considering other types of clemency such as pardons may differ significantly from state to state. Parole decisions may be made by one board member, two board members, a panel that combines a board member with staff (e.g., a hearing officer), a panel of three board members, a majority of a full board, a super-majority of a full board, or a unanimous board. Moreover, the number of persons required to take action may vary depending on the nature of a case or particular crime.

Mandatory Versus Discretionary Release

Perhaps the most fundamental difference between parole functions in different jurisdictions is whether a state mandates a parole board to place an inmate on parole at a certain time or whether it has complete discretion to grant or deny parole. According to a recent survey of the Association of Paroling Authorities International (APAI), 47 of the 50 states report having paroling authority with at least some discretion for release from prison. Of these, 22 report having release authority for the vast majority of prisoners, whereas another 22 report having release authority over at least some offenders, 16 describing their discretion as limited and another 6 reporting their discretion as extremely limited (APAI 2005).

In some jurisdictions, when an inmate has served a certain portion of his/her sentence, the law requires the parole board to release that inmate into the community under supervision, often referred to as mandatory parole. In these jurisdictions, parole boards have no discretion about when to release an inmate (although in some jurisdictions, parole authorities can delay release under certain circumstances). In mandatory parole jurisdictions, the parole board is generally concerned with determining and imposing appropriate conditions of release, coordinating release, and, if necessary, administering violation or revocation actions. The number of states that have mandatory parole for at least some portion of their inmate population has risen over the past 15 years. Currently, about one-half of all states use this approach.

Some jurisdictions expect parole boards to release inmates from prison on parole after an inmate serves a specific length of time, if the inmate meets certain criteria or accomplishes specific case objectives (e.g., completing a program or meeting the requirements of the parole plan). If the language of the parole board's enabling statutes or regulations creates an expectancy of release, then the board must meet various due process requirements (e.g., finding that the inmate does not meet the criteria for release or has not complied with stated expectations) if it ultimately decides not to parole an inmate at the designated time. States generally expect that inmates will receive parole if its statute indicates that the parole board "shall" or "must" release an inmate if certain circumstances are present. Some jurisdictions create approaches that stop just short of an expectancy of release—but offer an increased probability of release—if an

TWO TYPES OF PAROLE

Discretionary parole exists when a parole board has authority to release prisoners conditionally based on a statutory or administrative determination of eligibility.

Mandatory parole generally occurs in jurisdictions using determinate sentencing statutes. In such jurisdictions, a parole board releases an inmate from prison conditionally after the inmate has served a specified portion of the original sentence minus any good time earned.

inmate completes certain requirements. Some view this practice as a method of encouraging greater compliance from inmates with programming or intervention expectations.

Finally, parole may be a matter of “grace,” where release is entirely a matter of discretion. In most states, a statute may set the time for initially considering parole but leave the decision to grant parole entirely at the discretion of the paroling authority. Originally, all states with parole systems used this approach to decisionmaking, which allowed parole board members the flexibility to determine the suitability of an individual for release. Parole operated as an incentive to good institutional behavior and to participation in appropriate programming, promoting both

rehabilitative ideals and supporting practical institutional requirements. A significant number of jurisdictions still operate under discretionary parole.

Although considerations for public safety have always been present in shaping incarceration and parole strategies, the balance between sometimes competing philosophies (e.g., punishment versus rehabilitation or risk containment/management versus risk reduction) can dramatically affect a parole system. More emphasis on retribution may garner support for mandatory parole, whereas an emphasis on risk reduction requires more flexibility in decisionmaking, thus encouraging discretionary parole actions.

Core Competency 2: Understand the legal and policy foundations for parole in your jurisdiction.

Departure From Early Rehabilitative Ideals of Parole

Fundamental shifts in beliefs about the purpose of incarceration and parole largely drive the difference between discretionary and mandatory release methods. Early parole systems reflected a belief in a rehabilitative approach to managing offenders. Review of an inmate’s circumstances, behavior, and attitude, combined with an appreciation for the seriousness of the inmate’s crime, the amount of time the inmate served, and the adequacy of the inmate’s release plan determined whether there was an ongoing need for continuing to confine the inmate.

In the 1970s, a “nothing works” approach to rehabilitation led to waning support for these models. Instead, a retributive approach focusing on the amount of punishment warranted for a particular crime led some jurisdictions away from indeterminate sentencing to a more determinate or “flat term” sentencing structure. In a flat-term structure, a formula largely determines inmates’ release dates, thus applying limited consideration to individual progress or circumstance. Changes in state legislation and sentencing structures generally reduced the discretionary authority of parole boards to grant inmates release (Burke 2003).

Risk Management Gives Way to Risk Reduction as the Goal for Parole

In the 1970s, risk prediction instruments (e.g., the U.S. Parole Commission’s salient factor scores) began to emerge and provided impetus for a risk management approach to parole. The belief that some inmates possessed characteristics that made them objectively more or less likely to commit future crimes became the new foundation for parole decisionmaking. In the 1970s and 1980s, parole boards typically used risk assessments to identify offenders who should serve longer periods of incarceration, concluding that imprisoning these offenders for longer periods was a way to protect the public.

Further research identified interventions that, when matched to offenders’ level of risk and the factors driving that risk, are associated with significant reductions in reoffending. Today, dynamic risk assessment instruments (e.g., combining static risk factors with dynamic or “changeable” risks and needs) help parole boards collaborate with other agencies to reduce risk rather than simply manage risk through longer periods of incarceration. Parole boards can partner in risk reduction efforts, using parole as an incentive to encourage offenders to participate in risk reduction programming. They can also mandate conditions of release that identify, encourage, or require participation in programs that lower offenders’ risk of reoffending while on parole.

Core Competency 3: Understand the critical role that institutional corrections plays in parole work and be an advocate for effective collaboration.

Parole as a Collaborative Effort

The organizational location of the parole function varies from state to state. In some jurisdictions (including Connecticut and Missouri), the parole board is an independent agency whose chair reports to the Governor, an employee in the Governor's office, or elsewhere. In other states (such as Michigan and Ohio), parole decisionmaking is part of a broader state agency, such as a department of corrections. Regardless of its organization, the relationship between a parole authority and a department of corrections can be critical to the flow of parole work and can have enormous implications for the allocation of resources. Although a board's independence in individual decisionmaking is important, it is nevertheless hard to overstate the significance of parole and institutional corrections working harmoniously at a system level, sharing information, and collaborating on strategic and operational levels.

First, parole (both in individual case decisionmaking and in overall policy) has a significant influence on the operation of prison systems. The number of inmates released from prison on parole, the timing of their release, and the number of parolees returned to custody and the timing of that return can dramatically alter the prison landscape. Over the past 20 years, parole revocations have accounted for an increasingly larger percentage of prison admissions, and inmates have remained in prison longer before release (Travis and Lawrence 2002). Prison officials may properly see parole authorities as "gatekeepers" of their population. Thus, appreciating the implications of parole decisions on the broader institutional landscape and the allocation of resources is of considerable importance.

Parole and Public Policy

Beyond discussing the allocation of resources or prison capacity, parole authorities and their institutional partners must collectively consider and resolve other public policy issues if they wish to have a coordinated effect on the criminal justice system. For instance, parole authorities may raise the following questions:

- What philosophies currently drive the work of public policy and criminal justice? Are these philosophies compatible with parole decisions?

- Is there a desire to use incarceration as an opportunity to identify and address the future risks to a community that individual offenders may pose?
- What role should parole play in supporting effective institutional programming, sustaining offender risk-reduction efforts, promoting positive inmate behavior, and increasing institutional safety?

Working together, institutional corrections and paroling authorities must determine their collective objectives, agree upon acceptable methods for achieving those objectives, identify and implement compatible risk assessment and management tools, share appropriate information, and otherwise support each other's efforts. To accomplish such tasks, parole board members must understand the vision, mission, structure, purpose, and operation of their respective correctional institutions.

On the individual case level, parole board members must know the dynamics and realities of the prisons that house their offenders. Understanding key institutional issues such as security levels, inmate classification systems, disciplinary systems, and treatment and intervention opportunities is important for all parole board members and executives. It is only with such an understanding that parole board members, executive staff, and institutional corrections can collaborate to allocate appropriate institutional resources for higher risk offenders according to their criminogenic needs. This strategic targeting is key to preparing offenders for release to the community and to reducing their likelihood of reoffending. The parole board should also be considerably familiar with existing correctional programs and have an understanding of the goals, target audience, and eligibility of particular inmates to participate in specific programs.

Finally, many parole boards rely greatly on personnel from institutional corrections to assemble and provide information, arrange parole meeting space, coordinate inmate transportation, and manage other matters that affect day-to-day parole operations. In this way, institutions and parole agencies must collaborate both philosophically and operationally for both entities to operate effectively together.

Core Competency 4: Understand the relationship between parole and community supervision partners, develop effective approaches to common activities, and create collaborative partnerships.

Parole and Community Supervision

Once a parole board releases an inmate into the community, an officer or agent of a parole supervision agency will provide parole oversight. That agency may be:

- Overseen by the parole board (as in Georgia and Pennsylvania).
- Housed under the department of corrections (as in Wisconsin and Ohio).
- Employed by a separate state agency (as in South Carolina).

Regardless of the organizational configuration, parole board members must fully understand the nature and scope of a parole agent's duties and responsibilities and have a solid appreciation for the vision, mission, philosophy, and goals of the parole supervision agency.

Parole boards and community supervision agencies generally intersect at three distinct times during the course of a case:

1. Before making a parole decision, a parole board may review inmate release plans, conduct home visits, verify inmate employment, or recommend parole conditions suggested by community supervision staff.
2. During the parole process, parole board or parole agency policies or practices may require supervision staff to undertake particular types of work as part of a transition phase, inreach effort, or community integration activity.
3. After a board paroles an inmate, issues may arise that require the board to modify parole conditions or respond to violations.

In each of these areas, a parole board member must understand the duties and responsibilities of parole supervision staff and the interrelationship between the actions of these staff and the operations of the parole board. This knowledge and understanding will assist parole board members in:

- Crafting realistic, effective conditions of supervision.

- Formulating the likely supervision responses that parole staff will issue when they first encounter violations.
- Considering the information that may arise about a case considered for revocation.

A parole board member must appreciate that, like institutional corrections, the community supervision agency is critically important to the overall success of the parole system. Because considerable discretion may be necessary for managing offenders under supervision, a parole board member should understand:

- The philosophy, vision, mission, and approach of the supervision agency.
- The board's use of particular assessment tools to evaluate criminogenic needs and risks and what actions, if any, the board will undertake to ameliorate that risk.
- How the supervision agency uses case management.
- The supervision agency's philosophy and policies regarding parole violations.
- The caseloads and case expectations that might exist for supervision staff.

When a board places an offender under supervision in the community, the work and responsibility for managing that individual case transfers from institutional corrections to a supervision agent or officer. Thus, board members must appreciate the effect that their decisions have on supervision personnel in light of caseloads, workloads, and responsibilities. Once a board has established conditions for an inmate, it becomes the job of the parole agent or officer to oversee and enforce those conditions. If the board does not tailor the conditions well to the offender or the case, it creates a burden for both the offender and the agent. Poor communication between parole board members and the supervising officer may lead to a misunderstanding of the requirements or expectations that exist for the parolee.

REVIEW

Core Competencies Regarding Parole's Function, Purpose, and Role in the Criminal Justice System

To be most effective, parole board chairs, members, and executive staff should be able to answer each question accompanying the core competencies below.

Core Competency 1: Understand the functions, purpose, and role of parole in your jurisdiction and be an advocate for parole with other key government officials.	<ul style="list-style-type: none">• Why was parole originally created in your jurisdiction, and why has it been modified over time?• What are the critical philosophies that drive parole in your jurisdiction?• What are some of the broad public policy implications of your paroling philosophy?• How can you convey the philosophies and vision of parole to key governmental leaders from the executive, legislative, and judicial branches?
Core Competency 2: Understand the legal and policy foundations for parole in your jurisdiction.	<ul style="list-style-type: none">• What essential statutory provisions must you know concerning parole?• What critical policies must you understand and apply?• How does local law affect mandatory or discretionary parole in your jurisdiction?
Core Competency 3: Understand the critical role that institutional corrections plays in parole work and be an advocate for effective collaboration.	<ul style="list-style-type: none">• How does parole influence institutional corrections in your jurisdiction?• How is your board working with institutional corrections to forge a common approach to managing offenders over time?• How are you sharing information and tools and developing partnerships with institutional partners?• How do institutional programs, classification systems, disciplinary systems, and data systems work?• How can you improve collaboration with institutional corrections?
Core Competency 4: Understand the relationship between parole and community supervision partners, develop effective approaches to common activities, and create collaborative partnerships.	<ul style="list-style-type: none">• Are you collaborating with your supervision partner to develop a common approach or philosophy to managing offenders?• Do you understand the effect that your decisions have on the caseloads, requirements, or expectations of supervision staff?• Do you understand the assessment tools, classification systems, violation systems, and critical policies that drive offender supervision work?• Are you familiar with existing community treatment or intervention options and the intended criteria for placing inmates in such programs?

Working collaboratively, parole boards and parole supervision agencies should seek to harmonize the use of assessment tools or instruments, share information, and develop common strategies to maximize the effectiveness of parole in their jurisdiction. At a minimum, parole board members should have

data and information that assist them in understanding the caseloads of parole agents, the availability of and intended audience for specific community programs, the flexibility and discretion allowed to parole agents and the supervision agency, and the violation process that the supervision agency uses to respond to inappropriate parolee behavior.

Core Competency 5: Know the effect that other state and local entities have on parole operations and the influence that parole may have on them; become an advocate for the development of common visions and approaches.

Parole and Other State or Local Entities

Parole constitutes a critical component of a state's criminal justice system. However, an assortment of other entities outside of traditional criminal justice partners can influence, or are influenced by, parole policies and decisions. Consider the primary issues that face inmates contemplating a return to their communities; they bring to mind many of these other key stakeholders—agencies that can provide assistance in areas such as substance abuse treatment, mental health services, housing, employment, education, social services, veterans' affairs, and state-issued identification. Additionally, local law enforcement agencies can and should partner with parole agencies in performing a variety of tasks, including registering certain types of offenders, collaborating with supervision personnel to improve community safety, and providing assistance to community supervision agencies during curfew checks, home visits, or arrests. Developing effective partnerships with law enforcement agencies will further the public safety objectives of both organizations.

Parole is an undertaking that affects not only the policies, direction, and resources of state agencies, but also local communities and their organizations. Community organizations, nonprofit groups, faith-based entities, and individual citizens have an interest in, and can have an influence on, the way parole systems operate in a community. Parole board members and executives should be cognizant of this broad array of potential partners as they engage in their work.

Key State Non-Criminal Justice Partners

Offenders face a variety of issues that can undermine their successful return to the community, including substance abuse, physical and mental health problems, and lack of appropriate housing. A variety of state and local organizations can provide guidance, services, instruction, or assistance to parolees on these and many other essential matters. Parole board members and executives should identify and learn about such organizations and come to view them as potential partners and sources of assistance for returning offenders. Operating in isolation, each of these organizations can have some effect on parolees. Yet, operating collaboratively—with parole board members and parole executives serving as key partners under a broader approach to offender management—offers organizations the opportunity to identify and solve problems in unique and more effective ways.

Substance Abuse Treatment Programs

A statistic that has received considerable attention over the past several years is the percentage of inmates who have known substance abuse problems. The figure varies from state to state, but approximately three-fourths or more of all U.S. prison inmates have acknowledged being substance abusers; only 10 percent of inmates receive in-custody treatment, however (Hammett 2000; Mumola 1999). Research on crime-producing, or criminogenic, needs has consistently indicated that addressing the assessed criminogenic needs of individual offenders through effective treatment programs is an important step in reducing the likelihood that offenders will commit further crimes or otherwise fail in the community after release from prison. It is important for

parole decisionmakers to recognize, however, that the mere existence of a substance abuse history does not necessarily confirm substance abuse as a criminogenic need in an individual case. It is among those offenders for whom substance abuse has been identified as a criminogenic need through the use of a research-based assessment protocol that effective and successful treatment becomes particularly important as a strategy to reduce the likelihood of recidivism and failure upon release. Parole decisionmakers will want to use their release decisionmaking and condition-setting authority to target substance abuse treatment interventions toward those medium- and high-risk offenders for whom substance abuse is an assessed criminogenic need.

Physical and Mental Health Providers

Other research has demonstrated that approximately one-third of offenders in prison and jail have a diagnosable mental illness (Harlow 1998). Providing appropriate and continuing mental health services to individuals in need of such attention should be an important objective of a criminal justice system. In addition, many inmates face a variety of significant physical health issues. The identification and ongoing treatment of these conditions is important.

Housing and Employment Services

Once released, inmates must find suitable housing, and if they are capable, meaningful employment. Without a stable residence and the ability to meet financial obligations lawfully, parolees will simply be unable to meet either the conditions or expectations of parole. Although parole boards or parole executives often expect parolees to find suitable housing and meaningful employment as a condition of release, accomplishing these outcomes can be daunting for many inmates. Special legal restrictions may prohibit convicted sex offenders from residing within a certain distance of schools, playgrounds, daycare centers, churches, or other specified establishments. These restrictions may make finding adequate housing especially difficult.

Working with other key agencies allows parole systems to operate at levels that are closer to their true potential. Parole board members and executives should remember that parole operates within a much broader system of state and local governments, community organizations, service providers, and other entities. Developing a working understanding of the responsibilities, capacities, and limitations of these organizations will enable parole personnel to better appreciate the landscape within which parole work is truly conducted. It also allows them to share resources and creative solutions to challenges that would otherwise remain unresolved.

Local Partners

Although state agencies play a significant role as partners with parole boards, local agencies can be equally important. Parole board members should strive to understand not only the issues that face offenders on their return to communities, but also the ability of local service providers, private entities, nonprofit or faith-based groups, and others to deal with the issues, conditions, and circumstances of returning offenders. A better appreciation of the world in which parolees will attempt to survive and of the services or supports that may be available to aid in their adjustment is important in carrying out parole functions.

When parole board members make attending a local treatment program a condition of an offender's parole, how often do they understand the operation, capacity, focus, purpose, costs, criteria for placement, waiting lists, and other issues involved? Having such information can truly assist a board member in determining not only whether the placement of the condition is warranted, but also whether the desired result is achievable.

GEORGIA: A CASE STUDY

Working collaboratively with non-criminal justice agencies can tremendously affect parolees' successful release and community integration. For example, one jurisdiction in Georgia determined that the state was not releasing many eligible inmates for parole because they did not have suitable, approved housing plans. While the state relied on individual offenders to resolve this complex problem alone, hundreds of inmates who were otherwise eligible for release continued to serve their sentences in prison. When the state realized what was happening, parole board members and executives worked diligently with key state and local partners, members of local communities, and faith-based organizations to develop housing solutions that resulted in the timely release of inmates—saving their state precious bed space and avoiding millions of dollars in prison expenditures.

Core Competency 6: *Understand the critical role that law enforcement may play in managing offenders in the community and developing effective working relationships with them.*

Law Enforcement

Parolees' actions and their interaction with others in the community can be of considerable interest or concern to law enforcement personnel. In some jurisdictions, parole supervision agencies and local law enforcement organizations have developed agreements that allow personnel resources to be used more effectively (this might involve assisting with curfew checks, home visits, arrests, the service of process, investigations, and the transportation of offenders, for example). Additionally, for law enforcement organizations that participate in community policing activities, the presence of law enforcement personnel in particular neighborhoods may benefit parole agents and parole agencies as well as local communities.

Furthermore, law enforcement agencies typically have the unique responsibility of managing certain populations of offenders and coordinating their administrative paperwork (e.g., sex offender registration or notification requirements). Recognizing the special functions and abilities of law enforcement agencies to assist with effective local community supervision activities is critical. On the state level, sharing information and

coordinating functions and resources concerning matters such as extraditions or special apprehensions may benefit a jurisdiction considerably.

As they must with other partners, parole board members and executives must appreciate the issues and limitations facing state and local law enforcement organizations. The number of parolees in a community affects local law enforcement, and the perspectives and actions of local law enforcement can significantly affect community parole operations. The Bureau of Justice Statistics estimates that parolees are currently responsible for between 10 and 12 percent of all arrests for serious crimes in the United States (Petersilia 2003). Furthermore, in 1999, 22 percent of those in state prisons reported being on parole when they committed the crime that sent them to prison. It is now well documented that the high parole revocation rate is one of the major contributing factors to the growing U.S. prison population. By working with all potential partners to identify common objectives and collaborate in accomplishing these objectives, parole board members and executives can help make communities safer and parole systems stronger.

Core Competency 7: *Learn about the rights of victims and the role that your board plays in assuring those rights in a respectful and humane way.*

Victim Services

In addition to being aware of organizations that may assist offenders, parole board members and parole executives should also be keenly aware of special services that may be available to victims. In many jurisdictions, parole boards and/or correctional agencies employ personnel to help victims understand how parole works and to offer them opportunities to provide input in release decisionmaking. Board members and executives should also familiarize themselves with the organizations in their state that can provide ongoing services or support to crime victims. Becoming aware of this network of resources and appreciating

the valuable services these organizations can provide to particular citizens should be an inherent responsibility of parole agencies.

Legal and Ethical Issues

In completing their duties, parole board members and executives must understand and properly implement the laws that apply to parole in their jurisdiction. These laws often relate to the following specific issues, among others:

- The timing of parole consideration.

REVIEW

Core Competencies Regarding Parole and Other State or Local Entities

To be most effective, parole board chairs, members, and executive staff should be able to answer each question accompanying the core competencies below.

Core Competency 5: Know the effect that other state and local entities have on parole operations and the influence that parole may have on them; become an advocate for the development of common visions and approaches.	<ul style="list-style-type: none">• What organizations can provide essential services or assistance to parolees in your jurisdiction?• What circumstances do these organizations face, and what priorities do they give to serving the criminal justice population?• What partnerships exist, or could exist, between a parole board and these organizations?• What services, programs, and activities in your jurisdiction could assist parolees?
Core Competency 6: Understand the critical role that law enforcement may play in managing offenders in the community and developing effective working relationships with them.	<ul style="list-style-type: none">• What role does local law enforcement play in your jurisdiction regarding apprehensions, transportation, home visits, or curfew checks?• What partnerships have been, or could be, formally established between parole and state and local law enforcement agencies?
Core Competency 7: Learn about the rights of victims and the role that your board plays in assuring those rights in a respectful and humane way.	<ul style="list-style-type: none">• Are critical services missing in particular areas of your state?• What partnerships presently exist with nonprofit, faith-based, victim-focused, or related organizations, and what partnerships could the parole board develop?

- The nature of the process that parole boards must apply to release considerations and violation decisionmaking.
- Notifications that parole boards must provide to inmates, victims, and others.
- Rights of victims throughout the process.
- Reasons for granting or denying parole.
- Establishment of the conditions of parole supervision.

Parole board members and executives must conduct themselves in a manner consistent with the high ethical standards expected of a person who is discharging a substantial public trust. The authority to grant an individual release from confinement after

conviction is a power that at one time only sovereigns exercised. Today, it is a duty that parole board members must discharge in full conformance with both the letter and spirit of ethical considerations and of the law.

Understanding the Foundation of Basic Legal Principles

As noted above, policy decisions concerning parole can have a far-reaching influence on many organizations and individuals in a jurisdiction. Additionally, individual case decisions also affect many thousands of interested persons. Parole board members and parole executives must be cognizant of the legal framework and critical legal principles involved.

Core Competency 8: Understand and be able to apply the basic legal principles that form the foundation of parole work.

Basic Terms

First, parole board members and parole executives should be aware of and fully understand the terms that experienced parole practitioners use day to day, including the following basic terms:

- *Parole* is the release of a person from incarceration before the end of a sentence based on that person's promise of future good behavior.
- A *pardon* may involve not only release from punishment, but also restoration of certain legal rights that may have been lost as the result of a conviction.
- Both paroles and pardons are examples of *clemency*—the granting of mercy or forbearance on the part of the state.
- *Rescission of a parole* means denying parole release after previously determining to grant parole.
- *Revocation* is the canceling of parole after an offender's release from custody and the return of the offender to incarceration.

Precision concerning the use of the terms "parole," "pardon," "clemency," "rescission," and "revocation" are necessary to communicate particular actions or ideas effectively with others.

Individual state statutes detail the specific statutory authority and responsibilities of parole boards and parole organizations. In general, an inmate has no particular legal right to parole; it is a matter that a jurisdiction may choose to create or not (see *Board of Pardons v. Allen*, 482 U.S. 369, 1987). Therefore, the rules governing eligibility for parole, the number of votes required to grant or deny parole, the authority of the parole board to impose conditions, the determination of when a case can be reheard, and so forth, are all subject to the laws of the specific jurisdiction. Parole board members and executives should be very clear and precise about what the law in their jurisdiction requires concerning parole.

Liberty Interest

Once a state chooses to create a parole system, however, that state must conform to its own statutes, regulations, and policies (see *Greenholtz v. Nebraska*, 422 U.S. 1, 1979). Thus, if a state says in its statutes that it will grant parole at a particular time unless certain factors exist, then a parole board may not deny parole at that time unless it finds one or more of those enumerated factors to be present (*Greenholtz, supra*). That is, once a state establishes a right to parole, an inmate has a constitutionally protected "liberty" interest in receiving parole. For example, certain state statutes indicate that an inmate "shall" be released or "must" be released at a certain time if certain actions have occurred or when certain circumstances are or are not present. Once a state establishes this interest in freedom or liberty, the state cannot deny it unless it determines, in conformance with an appropriate process, that present conditions do not entitle an inmate to be released. Constitutionally, this is referred to as the right to "due process" before a state can deny a protected right.

The U. S. Supreme Court has made it clear that a paroled inmate has a "liberty" interest associated with continuing to live in the community (*Morrissey v. Brewer*, 408 U.S. 471, 1972). Before a state can revoke parole, an inmate must receive due process. This includes the right to have written notice of the charges, an opportunity to have a hearing at a reasonable time near the place of confinement, the ability to call witnesses, the right to appear before a neutral arbiter of facts, and the right to receive the reasons for the decision that a court makes. In certain cases, such as where the parolee is unable to understand the nature of the charges, the inmate may be entitled to counsel (*Morrissey, supra*).

Imposed Conditions

Once a state creates its parole laws, it applies them to criminal acts that occur on or after that date and generally attaches them to the sentence that the state has imposed. When the state changes its parole laws, it cannot apply new laws to a crime

retroactively if doing so would constitute additional “punishment” for a previously committed crime (see *California Department of Corrections v. Morales*, 514 U.S. 499, 1995). Imposing additional punishment after the fact would violate the Constitution’s “ex post facto” clause (Article I, sections 9 and 10) and violate the constitutions of many individual states. Precisely what types of changes a state may construe as additional punishment is an area that is often litigated (see *Garner v. Jones*, 529 U.S. 244, 2000). Whenever a change in a parole statute or procedure affects the opportunity for release on parole, it is important to determine whether the state would view this change legally as additional punishment and, therefore, as something that it should change only prospectively.

In imposing parole conditions, certain fundamental legal principles will also be present. Courts will carefully scrutinize conditions that impinge upon the First Amendment freedoms of religion, speech, or association (see *Arciniega v. Freeman*, 404 U.S. 4, 1971; *State v. Evans*, 796 P.2d 178, 1990). Courts are usually interested in understanding the “nexus,” or reason that particular conditions are required in a case. When the reason for a condition is weak or unclear, a court may have difficulty understanding the need for creating or enforcing it (see *Knight v. Board of Probation and Parole*, 510 A.2d 402, 1986). Parole board members and executives should know about the conditions that states routinely impose and the language and purpose of special conditions that may be placed in particular cases.

Core Competency 9: Become familiar with the special legal issues or challenges that may be present in your jurisdiction.

Key Legal Issues

Parole boards and parole organizations exist because of enabling legislation, and must conform to the statutes, regulations, and policies that states create. These laws and rules change over time, and it is important for parole board members and executives to remain apprised of changes in the law over time. In reviewing the current application of laws and policies, parole board members and parole executives should be aware of the special legal issues or challenges in their jurisdiction. The very nature of parole renders the process a magnet for legal challenges. Almost every decision a parole board makes—whether to pardon, parole, or deny, rescind, or revoke parole—brings with it the potential for dissatisfaction. As a result, inmates and others file thousands of legal challenges against parole board members, executives, and parole staff every year.

In each jurisdiction, certain matters appear to take on special significance. Changes in policies, the timing of parole reviews, changes in the members of the board or those who conduct hearings, the use of new technologies (such as conducting interviews or hearings via videoconferencing), or the implementation of new tools or forms seem in particular to generate controversy. Board members and executive staff should take seriously the need to understand recent changes and the reasons for potential concern. They would also do well to develop strategies that can ameliorate such concerns.

Challenges Raised by Other Public Officials

Challenges regarding parole sometimes surface in the words or actions of legislators or executive branch members because of their concerns about public safety, the rights of citizens, the effect of parole on state operations, or issues regarding the philosophy or direction of parole generally. When this occurs, parole board members and executive staff should be prepared to provide useful information that can satisfy questions and concerns that may arise. In particular, board members and executive staff should be able to:

- Articulate clearly the philosophy, vision, and direction of parole in their jurisdiction, including their commitment to public safety and the manner in which they will achieve it.
- Provide data and statistics that indicate the effect parole has on public safety.
- Demonstrate the effect parole has on conserving state resources (e.g., reserving expensive prison beds for those who are most dangerous and most at risk to reoffend).
- Explain the policies and tools in place to help identify risk factors or criminogenic needs within the offender population and to guide decisionmaking.

Board members and parole executives must know about the existence of such information and be able to articulate how their work truly serves the best interests of the state and its citizens.

Responding to Legal Challenges

In each jurisdiction, methods exist to respond to the legal challenges brought against parole board members and executives. Knowing who represents board members and executives when legal challenges are filed is important. Becoming familiar with and following relevant laws, policies, regulations, and procedures is always the best defense for board members and executives. “Qualified immunity” protects parole board members and executives in many circumstances if their actions were not in known violation of a person’s constitutional rights (see *Harlow v. Fitzgerald*, 457 U.S. 800, 1982). Some jurisdictions give board members “absolute immunity” (like judges, who could not be held monetarily liable for actions taken or decisions made while discharging their official judicial responsibilities) regarding particular issues (see *Martinez v.*

California, 444 U.S. 277, 1980). Understanding these defenses and others may help parole board members and parole executives understand their legal position better in the event of litigation.

Building a solid working relationship with the agency/person assigned to represent board members and executives in these matters can help raise awareness both about particular legal issues that tend to arise in a particular jurisdiction and about relevant defenses. Parole boards should pay special attention not only to following the letter of the law, but also to the manner in which the board discharges its duties. Individuals who appear before parole boards or are affected by the decisions of the paroling authority may be particularly sensitive not only to the release decision, but also to the words and demeanor of the board as they consider their decision. A considerable amount of litigation occurs each year not only because of parties’ dissatisfaction with results, but also because of concerns about how people believe they were treated. Recognizing the sensitive nature of parole and demonstrating professionalism may assist parole board members and executives in avoiding future legal challenges.

Core Competency 10: Know and follow the ethical considerations associated with your work.

Ethical Considerations

Parole board members hold positions of significant power and authority. Determining whether to grant or deny individuals their liberty is fundamental. Therefore, paroling authorities must not only follow the basic requirements of the law, but also ensure that they base their actions and decisions on basic ethical considerations.

There are two general categories of ethics to distinguish. The first relates to financial interest, the second to other factors that might create bias or the appearance of bias. As public officials, parole board members must make decisions in an evenhanded, nonbiased manner. It would be inappropriate, for example, for a board member or executive to make a decision that might affect his or her financial interests. In many states, board members and executives must complete state ethics forms, indicating their sources of income, any gifts or benefits they have received, and

whether anyone who had official business before them may have provided these benefits. In sum, a parole board member or parole executive should never accept anything of value from individuals who may have an interest in the outcome of parole matters.

In addition to issues of financial ethics, other special ethical considerations are inherently present in the decisionmaking process. In the United States, 1 out of every 31 adults is currently under some form of criminal justice supervision (Pew Center on the States 2009). It is quite possible that an individual will appear before a parole board or executive who is a relative, a friend, or someone else of special importance to that official. To meet the expectations of the public, paroling authorities must make decisions without the cloud of personal sentiment or bias. When a case or matter involves a person of particular significance, affected board members or executives should recuse themselves from that particular proceeding.

REVIEW

Core Competencies Regarding Key Legal Issues and Ethical Considerations

To be most effective, parole board chairs, members, and executive staff should be able to answer each question accompanying the core competencies below.

Core Competency 8: Understand and be able to apply the basic legal principles that form the foundation of parole work.	<ul style="list-style-type: none">• How can your board avoid creating a “liberty interest” in the parole release process? How does it provide “due process” in its decisionmaking about revocation?• How might policies and procedures affect due process and ex post facto considerations?• How might the imposition of certain conditions affect First Amendment freedoms?
Core Competency 9: Become familiar with the special legal issues or challenges that may be present in your jurisdiction.	<ul style="list-style-type: none">• What legal challenges routinely occur? Have objections to particular issues been on the rise?• Are other public officials raising concerns? How can board members and executives best address these issues and remain advocates for parole?• What defenses are available in the event of litigation? Who represents board members and executives in these cases?
Core Competency 10: Know and follow the ethical considerations associated with your work.	<ul style="list-style-type: none">• What state ethics laws apply to board members and executives in a given jurisdiction? What requirements must they meet?• What should board members do in the event of a conflict of interest?

Discharging Duties Effectively

The core competencies in chapter 1 focus on the importance of understanding a variety of issues generally external to the organization of parole. Chapter 2 addresses specific internal issues and includes discussions of the vision, direction, and operation of parole boards and parole agencies—entities that rely on people to make them work.

One member of a parole board may function as the chair; that person may be elected or appointed by fellow board members. Each parole board or agency has a director. A number of deputies or other key agency personnel may support the director both in determining the focus and mission of the agency and in completing specific functions. In this guide, all persons—chairs, board members, parole directors, and key agency personnel—are presumed to be responsible for identifying their organization’s direction and objectives, working with others both within and outside the board or agency to realize those objectives, and understanding and communicating information to a broad range of individuals.

Core Competency 11: *Be able to articulate the intended direction of your organization.*

Leadership

Understanding the purpose and focus of parole is easy on a case-by-case basis. However, it is important to look beyond individual decisions and examine parole from a broader perspective.

Organizational Direction

Timelines, processes, policies, and statutes all exist to provide a specific context and foundation for making parole decisions. However, parole board members and executives should also establish the overall direction of their organization. To do this, they must answer one fundamental question: In viewing all cases collectively, where should parole be heading when one considers all policies and procedures together in light of the relationships, knowledge, opportunities, and circumstances that may be present?

When a single-case perspective mires paroling authorities’ view, they regard their role as responding to one dissatisfied inmate or displeased community member after another. Contemplating how parole should operate as a broad function within the system becomes difficult. Nevertheless, parole board members and executives are responsible for exercising leadership in this manner and for charting the future of parole in their jurisdictions. They must understand and accept this responsibility. They must not only interpret their present course but also establish and foster movement toward desired change.

Vision Statements

Most paroling authorities have vision statements that reflect their overarching goals—to protect the public, serve the people, respect the rights of individuals, and operate effective systems. These statements are placed on walls and in policy manuals;

however, all too often they are ignored—not because they are unworthy, but because they have been expressed in ways that are too vague or that do not reinforce established procedures, policies, or day-to-day activities. Over time, they lose their meaning.

Paroling authorities should examine their organization’s vision statement to determine whether it adequately states the outcomes they desire. A vision statement should:

- Identify the organization’s intended direction.

- Reflect the values, ideals, and principles of the organization’s leaders.
- Be lofty, compelling, and optimistic.
- Be broad but easy to understand.

Parole board members and executives should possess both a firm understanding of the language and meaning of the vision statements they have created in the past and the ability to articulate where they want their boards or agencies to go in the future.

Core Competency 12: Be able to develop vision and mission statements for your organization and share them effectively with others.

Mission Statements

A mission statement, on the other hand, clearly indicates something that the board or organization will do to move toward a desired vision. It is unlikely that a single mission statement will address all of the outcomes that the board or agency desires; therefore, multiple mission statements may be needed. For example, if a board wants to promote public safety as part of a vision statement, then a mission statement concerning how it intends to do so (e.g., by using the best objective tools to identify criminogenic [crime-producing] needs and addressing these needs through programs and interventions) could be appropriate.

For example, the Georgia Board of Pardons and Paroles indicates that its mission “is to enhance public safety by making informed parole decisions and successfully transitioning offenders back

into the community.” This statement provides insight into the board’s goals, i.e., using meaningful information to help members make informed decisions and promoting successful transition of offenders to their communities. Specific actions designed to improve the information available to the board and to help with the transition of offenders would be consistent with this mission statement.

Paroling authorities must determine what they want their board or agency to accomplish and then decide on the most effective way to state the desired outcomes and methods that will be used to achieve those outcomes. A parole board or agency will need to review, revise, improve, and embrace its vision and mission statements to be able to establish and promote a specific direction.

Core Competency 13: Be able to promote competency in work by developing necessary policies and training and by effectively communicating the work of parole to others.

Parole Policy and Training Curriculum

Once the direction (vision and mission) of the parole board or agency is clear, board members and executives can promote competency in the pursuit of these goals in three principal ways. The first is through creating and disseminating policies, standards, and procedures that reflect the organization’s broad vision and mission. Parole boards and agencies should use these policies,

standards, and procedures as tools to help promote the pursuit of broad goals, the meeting of specific objectives that support those goals, and the establishment of consistency of practice.

Second, information must be disseminated to individuals who are expected to complete particular roles or duties. An organization should use staff meetings, board meetings, publications, and email messages to communicate its purpose, goals, objectives,

and activities. When board members and staff operate in isolation or focus too narrowly on the day-to-day tasks of preparing case materials, assembling and reviewing documents, and participating in hearings or file reviews, it is easier for them to develop a narrow perspective about parole without considering the agency's broader goals. Thus, it is important for paroling authorities to take time to reflect on the broader implications of decisions, the direction of the work, and the issues, challenges, or opportunities that may be present.

Author Stephen R. Covey (1989) states that there are two broad categories of work: the urgent and the important. The urgent work of parole is ever present and it takes a lot of time to resolve individual case issues and render decisions. However, considerations that involve the organization's overall direction and purpose, the pursuit of new methods or opportunities, and

working proactively rather than simply reacting to daily issues are just as important to the long-term work of parole. Board members and executives must ensure that they spend the time and energy necessary to address important issues along with those that are urgent.

Finally, parole board members and executives must take advantage of training opportunities. Carrying out the important and sensitive work of parole requires mastery of a variety of skills and abilities. This report discusses the most important ones. In the absence of training, board members and staff must resort to their own methods to complete their work. Training can help develop or enhance skills, encourage consistency, and expand the knowledge and information available to key parole personnel.

Core Competency 14: *Be able to clearly delineate and specify the duties, roles, and responsibilities of parole board chairs, members, and executives.*

Core Roles and Responsibilities

Members of paroling authorities may view their primary responsibility as individual decisionmaking, and thus may not particularly view themselves as members of a team. However, because of the many responsibilities discussed here—in terms of leadership, setting agency vision, and policy—they do have a collective role to play. A parole board and a parole agency are a team, and as with all teams, it can succeed only when each member fulfills his/her own responsibilities. Thus, each person's duties must be clear. It is sometimes easy to see issues or problems and ignore them because they seem to be someone else's responsibility. However, a successful team must have a sense of group responsibility and its members must be able to communicate effectively.

Inevitably, problems will occur within an organization. To respond effectively, an organization's members must share information, share a common desire to solve problems, and understand their roles and responsibilities. To help clarify roles and responsibilities, board members and parole executives must meet periodically to review the status of work, identify issues and opportunities for improvement, and develop effective ways to move forward.

Having clearly articulated policies and procedures is essential to promoting an organization's intended direction. In addition, board members and executives must have appropriate, timely, and accurate data available so they can render sound decisions and assess both the direction of the agency and whether they are meeting organizational goals.

Reference and Resources

Some boards and parole agencies have extensive automated information systems that are linked to institutional corrections, community supervision agencies, or other key partners. Others must rely on paper files to answer routine questions. For all parole agencies, developing adequate information systems is a continuing responsibility that they must manage competently. For individual cases, this means ensuring that paroling authorities receive the information they need, including an offender's history, a risk and needs assessment, and an offender's behavior record while incarcerated, to make decisions in a timely manner. On an organizational basis, information must be available to track hearing/interview/case review workloads and schedules and to provide data for performance measurement.

Core Competency 15: *Understand key management and case information materials and the importance of having this information available in the agency to guide broad policy decisions.*

R E V I E W

Core Competencies Regarding Leadership

To be most effective, parole board chairs, members, and executive staff should be able to answer each question accompanying the core competencies below.

Core Competency 11: Be able to articulate the intended direction of your organization.	<ul style="list-style-type: none">• What sources can you look for to help your agency determine an appropriate direction?• How can you communicate this direction to staff and external partners?
Core Competency 12: Be able to develop vision and mission statements for your organization and share them effectively with others.	<ul style="list-style-type: none">• Do you currently have a vision statement for your organization? Does it adequately articulate how the justice system will improve if you can attain your vision?• How can you clarify and clearly communicate that vision to staff and partners?
Core Competency 13: Be able to promote competency in work by developing necessary policies and training and by effectively communicating the work of parole to others.	<ul style="list-style-type: none">• How does your agency address important issues and avoid focusing too much on the urgent?• What training is available to parole board members and executive staff? How can parole board members enrich and expand their training? What are the most important topics to include in a training?
Core Competency 14: Be able to clearly delineate and specify the duties, roles, and responsibilities of parole board chairs, members, and executives.	<ul style="list-style-type: none">• How are duties, roles, and responsibilities delineated in your organization?• Are they reviewed periodically and revised as necessary to meet your board's changing circumstances and demands?
Core Competency 15: Understand key management and case information materials and the importance of having this information available in the agency to guide broad policy decisions.	<ul style="list-style-type: none">• Are you familiar with the information systems that support your work? What questions do you have and who can provide the information you need?• Does your board review information on a board- or agencywide basis in addition to responding to information on individual cases?

Core Competency 16: Understand the current status of the board or agency and identify gaps, issues, problems, or needs that face the organization.

Strategic Planning

Like any healthy organization, parole boards would do well to assess strategically whether their work is meeting its intended goals. A deliberate strategic planning process has three main components:

1. Identifying the organization's status in relation to its intended outcomes.
2. Determining significant gaps, barriers, issues, or problems that may be keeping the organization from realizing its objectives.
3. Deciding the most important steps to take to overcome these impediments.

Board Operations

The initial stage of a strategic planning process involves understanding an organization as it currently operates. Developing a flowchart that outlines how cases move through the parole system is one technique that can help clarify a parole organization's workflow. This technique charts out, in graphic form, the key decision points in the process, how the information flows, and what the potential outcomes at each point in the process may be. This system-mapping process can help pinpoint challenges that the organization will need to address, bottlenecks in the parole process, and other issues. Placing information at key decision points on the flowchart can help identify the volume of work that occurs at various points in the parole system. A forthcoming report in the *Parole Essentials* series will discuss strategic management for parole; it will include examples and tools for this technique.

Other methods for understanding how a system currently works may involve gathering information from annual reports or from data generated by a board's management information system, reviewing data concerning key indicators, interviewing staff, talking to key officials to gain their perspective, conducting focus groups, or administering surveys. Parole authorities should then compare this information to the board or agency's vision, mission,

objectives, or goals to determine significant gaps, issues, or problems that they may need to address.

The processes described above can help lead organizations to discover what does not exist—a single source that lists available programs or services for parolees, a strategy for communicating information to staff, adequate data on key indicators or specific case factors, or a plan for dealing with media inquiries, legislative concerns, or other important matters. Determining what a parole organization needs can create momentum to move forward in a positive direction.

Exploratory Work Teams

When a board or agency acknowledges the issues or problems that prevent it from realizing its objectives, it can then address the issues in question. A parole board or agency may find it helpful to develop specific teams or task groups that will investigate issues, define problems, and recommend a course of action. Providing clear instructions to such teams—through charters or other documents that outline the issues the board or agency must explore, the individuals who will be part of the team, timelines for accomplishing the work, and expected products—will help them stay focused and productive. The appendix includes an example of a work team charter.

A work team should clearly understand the team's structure and should know who will receive its recommendations or findings. A structure should be in place to review the recommendations, determine which ones will be approved, and identify a method for implementing proposed solutions.

Parole board members and executives must evaluate the work team's recommendations and identify the most effective solutions for resolving issues or overcoming problems. Knowing effective problem-solving techniques will help board members and executives recommend appropriate solutions. Such techniques involve:

- Establishing clarity about the nature of the problem at hand.
- Considering information and data that are relevant to the problem.

- Generating possible solutions to the problem or issue.
- Establishing criteria for evaluating possible solutions (e.g., overall effectiveness, cost, timeliness).
- Selecting the best possible solutions in light of the criteria used.

Once paroling authorities embrace a solution, they may want to test the new approach or procedure. Pilot programs or small experiments may help identify further issues that the authorities need to address before they fully implement a new method, policy, or procedure.

Core Competency 17: Develop a structure and forge strategies for addressing and resolving critical issues.

Board Performance

Various types of data are usually available for a board member or executive to consider. For example, parole boards may readily share information about the number of hearings held, the number of inmates eligible for consideration, or the number of revocations that occurred. When considering this or other information, the critical questions are (1) What does this information convey? and (2) Is this information needed to assess the agency's performance?

Information on the number of events—such as hearings held—is important only if paroling authorities consider it in a relevant context. For example, in considering whether the number

of hearings is increasing or decreasing, paroling authorities might ask the following questions:

- Why is the number of hearings increasing or decreasing?
- Are more inmates waiving their right to a hearing?
- Is the inmate population increasing or decreasing?
- Have changes in some policies or practices affected these numbers?

Information provides key policymakers with insight. However, board members and executives must have the skills and abilities to analyze the data and information. Only objective information should influence decisions about cases and organizational directions.

Core Competency 18: Understand available data and information that reveal the board or agency's performance.

Emerging Best Practices and Evidence-Based Practices

For the past 20 years, considerable research has focused on two critical questions of concern to parole board members and executives. First, there is a growing understanding of the factors that contribute to or fuel the likelihood of recidivism. Objective tools that are statistically valid and reliable have been developed and refined. These tools identify the factors that contribute to recidivism and sort offenders into various categories of risk depending on the results. Second, researchers who are now better able to understand the factors that fuel risk have

conducted studies on the best methods to reduce these risks and positively influence the future behavior of offenders. Collectively, this research leads to evidence-based practice.

Some efforts that appear to have great promise have not yet received the scientific scrutiny necessary for researchers to determine their success. Even so, practitioners may see the value in continuing or expanding their efforts as a result of the outcomes achieved thus far. Activities that appear to have promise but have not yet been sufficiently or objectively studied are sometimes referred to as emerging best practices or promising practices.

REVIEW

Core Competencies Regarding Strategic Planning

To be most effective, parole board chairs, members, and executive staff should be able to answer each question accompanying the core competencies below.

Core Competency 16: Understand the current status of the board or agency and identify gaps, issues, problems, or needs that face the organization.	<ul style="list-style-type: none">• How does your organization articulate and measure its desired outcomes?• How effective is your organization in achieving its desired outcomes?
Core Competency 17: Develop a structure and forge strategies for addressing and resolving critical issues.	<ul style="list-style-type: none">• Does your board meet regularly to address agencywide issues or does it focus primarily on individual cases?• Do you typically form committees or work groups to take on current problems and issues?
Core Competency 18: Understand available data and information that reveal the board or agency's performance.	<ul style="list-style-type: none">• Have you defined specific performance measures for your agency? If not, what might they be?• Does your information system produce, or could it produce, periodic reports that would provide and track such measures?

Core Competency 19: *Review, appreciate, and absorb pertinent evidence-based practices literature and information.*

Evidence-Based Practices Literature and Parole Information

Board members and executives must be aware of important evidence-based findings concerning offender assessment, the use of objective risk tools, effective programming that addresses crime-related factors, the imposition of conditions, and the effect of staff-offender interactions on behavior. Additionally, it is critical for board members and executives to be aware of emerging best practices literature on effective transition and reentry efforts, coordinated and integrated case management efforts, and alternatives that boards can use to respond to violations.

Evidence-based practices literature reflects the following eight core principles to observe in order to generate reductions in recidivism (Joplin et al. 2004):

- Assess offenders' criminogenic risks and needs.
- Target interventions using risk, need, responsivity, and dosage (e.g., frequency and intensity) considerations.
- Find methods to enhance the offender's intrinsic motivation.
- Encourage skill training with directed practice and cognitive behavioral methods.
- Increase positive reinforcement to affect offender behavior.
- Encourage ongoing support in offenders' communities.
- Measure relevant processes and practices.
- Provide feedback.

Core Competency 20: *Discern lessons from evidence-based practices and apply this information to the operation of your parole board or agency.*

Evidence-Based Practices Literature Applied to Agency Needs

Evidence-based practices literature helps parole authorities understand that they can use objective tools to identify factors that may fuel criminal behavior; these tools also may help predict the likelihood that a person may engage in future crime. This information can help boards and parole agencies assess risk, place risk categories into groups, determine the need for or value of specific conditions, and place offenders in various community supervision classification levels. Knowing that evidence-based information exists is not enough; parole boards and agencies must apply the lessons learned from research to their work in the form of specific, practical policies and practices.

The research and best emerging practices in parole show that parole boards and agencies should:

- Develop and use appropriate risk and needs tools in making individual case decisions.
- Make program placements and impose conditions that will attack the criminogenic factors found through individual assessments.
- Place higher risk offenders in appropriately targeted programs and stipulate more stringent conditions of parole for these offenders (the greatest benefits will occur through the reduction of this population's risk).
- Interact with offenders in ways that will help develop the offender's motivation to change behaviors.
- Develop conditions and case plans based on risk and needs information, offenders' active participation, and offenders' progress over time.
- Share case information and collaborate with appropriate agencies and entities in managing specific cases.
- Develop incentives and rewards to encourage positive behaviors.
- Create responses to offender misconduct that are appropriate to the severity of the offense and to the risks the offender poses.

Core Competency 21: *Demonstrate the skills and abilities necessary to be an effective member of a board or agency team.*

Collaboration

As stated previously, board members and executives must collaborate and develop consensus around a broad range of important issues. Determining the direction of the parole board or organization, implementing strategies to address objectives, employing evidence-based practices to guide specific aspects of work, and enlisting the support of other relevant agencies external to parole are all essential components of effective parole work.

Interpersonal Relations

It is important to create opportunities for discussion among board members and executives. Although there is always time to handle case responsibilities, time must also be set aside to solve problems, consider issues, and chart directions. On any team, personality conflicts, work methods, or individual styles may create difficulties. The best way to solve such difficulties is to talk directly and honestly with the individuals involved.

Teams are most effective when they have established a level of trust. People build trust when they are honest, open, and sincere about important issues. Thus, board members and executives must possess the essential skills and abilities such as honesty,

REVIEW

Core Competencies Regarding Emerging Best Practices and Evidence-Based Practices

To be most effective, parole board chairs, members, and executive staff should be able to answer each question accompanying the core competencies below.

Core Competency 19:
Review, appreciate, and absorb pertinent evidence-based practices literature and information.

- Do you periodically review and discuss current research and literature in the field at parole board and agency leaders' meetings?
- Do you have access to research in your agency or a partner agency (such as a department of corrections or public safety or a local university with a criminal justice department) that can provide an overview and analysis of the implications of emerging research for your work?

Core Competency 20:
Discern lessons from evidence-based practices and apply this information to the operation of your parole board or agency.

- Are you familiar with the considerable policy-relevant body of work available on the NIC website (www.nicic.gov)?
- How can you use your authority in making release decisions and setting conditions to target interventions toward higher risk offenders?

integrity, accountability, and sincerity—that foster an atmosphere of trust.

Outside Individuals and Organizations

In addition to having an effective method for building internal support, parole boards and executives must be capable of building trust with outside individuals and organizations. Three key groups to target are the media, legislature, and local community organizations. For each of these groups, parole board members and executives should be able to develop outreach plans that accomplish the following:

- Convey the agency's vision and mission clearly.
- Outline the strategies, methods, or systems (e.g., objective tools, evidence-based strategies, sensitivity to certain issues or areas) used to help the agency achieve its objectives.
- Convey in compelling terms why these objectives and strategies are in the best interests of the state, communities, and citizens.

When parole boards and parole agencies focus too much on the task of making decisions about individual cases, it may be

difficult for them to see the need for or value of engaging in outreach. The necessity of an outreach strategy becomes plain when a single unfortunate case receives attention. Although no parole board or executive ever wants a parolee to engage in harmful or criminal conduct, parole authorities must accept that such things may occur from time to time. No parole board or agency can control the behavior of another person. Criminal acts will occur whether a parole system is in operation or not.

Parole boards and agencies should strive to help external parties (e.g., other agencies, the legislature, the general public) see that they should not judge or measure themselves by one single case or unfortunate instance, but rather by the effect of their methods, policies, and practices on public safety and resource allocation. It is important for a board to determine whether negative occurrences will happen less often when it decides to use particular methods and strategies designed to identify, understand, and ameliorate potential risks. The issue is not whether the state should release anyone from prison, but rather under what circumstances and in reliance on what types of information. Parole board members and agency executives must be familiar with their operation and goals. They must have the skills and abilities to convey the board and agency's work, structure, purpose, goals, efforts, and outcomes to others adequately.

REVIEW

Core Competencies Regarding Collaboration

To be most effective, parole board chairs, members, and executive staff should be able to answer each question accompanying the core competencies below.

Core Competency 21:

Demonstrate the skills and abilities necessary to be an effective member of a board or agency team.

- Are you willing to meet with other members of your board and executive staff to consider problems and issues other than those associated with specific cases?
- Do you routinely agree to work on those issues with colleagues?

Core Competency 22:

Possess the skills and abilities to develop media, legislative, and community outreach strategies.

- Do you have a public information officer, and do you meet with him/her? Is your public information officer routinely asked to develop proposals regarding public and criminal justice system education strategies?
 - Does your organization regularly communicate with local and regional media, and can you ensure that the media will disseminate accurate information in the event of a high-profile case?
-

Individual Case Decisionmaking

It is important that all case decisions regarding offender release, setting conditions for release, and responding to violations align with a parole board's stated values and objectives, evidence-based practices, and the best judgment of its decisionmakers. States expect parole decisionmakers to apply an independent, objective, and informed perspective to each individual case. An understanding of the local criminal justice system in which decisions are made, as well as an appreciation for the philosophy, vision, mission, and objectives of the parole board or agency, should be the foundation for decisionmaking. This section explores the specific knowledge, skills, and abilities that parole decisionmakers must demonstrate in making individual parole decisions.

Tools That Promote Consistent Outcomes for Similar Cases

Since the 1970s, parole boards have experimented with tools that help assess offenders' risk of recidivism. Compelling research has revealed that, compared to using personal judgment alone, objective tools are much more effective at

predicting offenders' risk of failure in the community (Grove and Meehl 1996; Grove et al. 2000). Over time, these tools have become more sophisticated and their predictive ability has improved considerably. Additionally, tools specific to particular types of crimes (e.g., violent crimes) and offenders (e.g., sex offenders) are now available.

Core Competency 23: *Understand the value, operation, and benefits of objective offender assessment tools and have the necessary skills and abilities to apply existing instruments properly.*

Offender Assessment Tools

Parole boards primarily use three types of objective risk assessment tools to inform their decisionmaking: static instruments, dynamic instruments, and instruments for special populations.

Static Risk Assessment Instruments

These tools focus on a relatively small number of unchangeable, yet highly predictive factors, such as the number of arrests, the number of prior parole violations, and age at first arrest. These

tools help indicate the relative risk of reoffending and allow offenders to be grouped by risk (high, medium, low) based on their individual characteristics. An assessment of an offender's risk of reoffending is very valuable information for parole authorities, who should consider an offender's risk level as one of many factors in case and release decisionmaking. One example of such a tool is the Salient Factor Score (Hoffman, 1994), a risk instrument originally developed by the U.S. Parole Commission but subsequently adapted and validated for populations in states such as Missouri and Arkansas.

Dynamic Risk Assessment Instruments

These tools measure characteristics, circumstances, and attitudes that can change throughout one's life (e.g., drug or alcohol use, poor attitude) as well as static factors. Understanding the factors that affect an offender's risk of reoffending can help parole decisionmakers understand the issues they should target for intervention while the offender is incarcerated or under postrelease supervision. One example of a dynamic tool that incorporates an assessment of both risks and needs is the *Level of Service Inventory—Revised (LSI–R)* (Andrews and Bonta 1995), currently used by the Pennsylvania Board of Probation and Parole.

Risk Assessment Instruments for Special Populations

Researchers have designed these tools to assess the risk of reoffending for specific groups of offenders (e.g., juveniles, sex offenders, violent offenders). One example is the *Static-99* (Hanson and Thornton 2000), developed specifically for assessing the risk of sexual reoffense. These instruments were developed in response to data demonstrating that general risk assessment instruments may be inadequate for assessing the

risk of a particular group of offenders to reoffend. Risk assessment instruments for special populations may be used in addition to, or in lieu of, more generic instruments. Because these tools are so specific, they can be very useful to parole decisionmakers in understanding the relative risk and specific issues or factors that may be present for these special populations.

The Importance of Training in the Use of Risk Assessment Instruments

To be of the greatest value to a jurisdiction, a risk assessment instrument should be validated based on local demographics. Parole or institutional staff usually complete the assessment protocols. Because the results of a risk assessment are vital to parole board decisions, parole board members must understand how to score and interpret the information generated by these tools to be able to use them confidently and effectively in reaching their decisions. Parole board members and executives should receive adequate training in the value and use of assessment tools. They should also understand why these tools are being used and how they can be helpful in setting conditions of parole, assessing the severity of particular violations of supervision, and making release decisions.

Core Competency 24: Know the value of parole guideline tools and have the skills and abilities to apply them.

Using and Applying Assessment Tools

Some parole assessment tools exist to provide decisionmakers with objective information about the factors, risk levels, and probabilities associated with specific offenders. Other tools, sometimes called guidelines, may also be used to explicitly account for other interests that parole boards may have—interests beyond the risk that an offender may present. The most common dimension guidelines address is that of appropriate and equitable punishment. Typically, parole guidelines account for the seriousness of an offender's crime, including its effect on the victim, and introduce clear standards of accounting for the punishment interest in the parole board's decision. Guidelines also promote consistency in decisionmaking for similar cases.

They reflect the basic philosophies and goals of the parole board and agency and also incorporate objective information to help guide decisions.

For example, a parole guideline might indicate that inmates who have certain objectively determined risk levels, have committed certain levels or types of crimes, and have served a certain percentage of their sentence are more likely to receive favorable parole consideration than inmates who have higher risks, have committed more serious crimes, or have served smaller portions of their sentence. Such factors reflect particular values or philosophies, a belief in the value of objective information, and a desire to promote more consistent decisionmaking outcomes. Parole board members and executives must understand the

importance of such factors and apply this information to their case decisionmaking. For examples of a range of guideline tools and approaches, consult *A Handbook for New Parole Board Members: Part of a Resource Kit for New Parole Board Members* (Burke 2003).¹

Parole board members and executives should be very clear about the assessment tools currently in use in their jurisdictions. Board members and executives should also know enough about

offender assessment tools to be able to evaluate the benefits of revising or improving existing approaches. They should thoroughly review existing research on various assessment tools to identify those that will best provide them with the objective information necessary to promote consistent outcomes in similar types of cases. They should also consider the benefits of employing guideline-focused tools.

Core Competency 25: Use and select appropriate assessment information and guideline tools.

R E V I E W

Core Competencies Regarding Tools That Promote Consistent Outcomes for Similar Cases

To be most effective, parole board chairs, members, and executive staff should be able to answer each question accompanying the core competencies below.

<p>Core Competency 23: Understand the value, operation, and benefits of objective offender assessment tools and have the necessary skills and abilities to apply existing instruments properly.</p>	<ul style="list-style-type: none"> • Do you routinely review assessment information as part of your decision-making process? • Are you aware of the research basis for the tools your agency uses and the extent to which these tools have been validated and normed on your own jurisdiction's population?
<p>Core Competency 24: Know the value of parole guideline tools and have the skills and abilities to apply them.</p>	<ul style="list-style-type: none"> • If your agency uses parole guidelines (e.g., a matrix or a decision tree), are you familiar with how researchers developed the guidelines, what sentencing interests the guidelines target, and in what manner or how frequently researchers have revised and updated the guidelines? • Are there questions or concerns you have about the guidelines? Do you have a way to express those concerns and have them addressed?
<p>Core Competency 25: Use and select appropriate assessment information and guideline tools.</p>	<ul style="list-style-type: none"> • Do you and your colleagues have the opportunity to discuss and practice using various tools as a way of becoming familiar with them and skilled in their use? • Do the policy, technical, and research staff involved in developing the guidelines provide you with an overview of the degree to which your decisions should follow those guidelines and flag any areas for analysis and potential change—either in the guidelines or in your practice?

¹ This publication of the Association of Paroling Authorities International was developed by the Center for Effective Public Policy and sponsored by the National Institute of Corrections. Download the handbook at www.apaintl.org/content/en/pdf/CEPPPparoleHandbook.pdf.

Parole Hearings, Interviews, and File Reviews

A parole entity may conduct parole hearings or inmate interviews because of statutes, regulations, or policy requirements. A hearing or interview may involve the inmate, an attorney or spokesperson, family or supporters of the inmate, the victim or a spokesperson for the victim, and other interested parties. The laws, regulations, or policies that address hearing requirements usually specify the individuals who may attend hearings. Yet, whatever the source of the hearing requirement, the first question board members and executives should consider is, "What is its purpose?"

Know the Purpose of the Parole Hearing or Interview

Depending on the statutes, regulations, and practices governing parole hearings in a jurisdiction, the purpose for such a hearing may include all or some of the following:

- Allowing additional facts or information about the case to be gathered.
- Verifying the accuracy of facts or information in the file.
- Allowing the inmate to provide his/her perspective.
- Allowing the victim to provide his/her input about the possibility of parole.
- Putting a "human face" on the parole decisionmaking process.
- Creating an opportunity to evaluate the inmate's parole plan.
- Allowing individuals (victims, judges, or prosecutors) to provide their thoughts or perspectives about the inmate's suitability for parole.
- Providing an opportunity for board members and executives to provide an inmate feedback about his/her institutional performance or other matters.

- Encouraging the offender to continue his/her positive activities.
- Motivating the offender to change behaviors or engage in risk reduction activities.
- Offering parole as an incentive for improved or continued good behavior.
- Satisfying system requirements that a jurisdiction provide hearings to inmates.

Board members and executives must understand these purposes for the hearing or interview process to operate most effectively. For instance, if the purpose of the hearing is to gather facts and information, then board members must have the skill and ability to pose logical, rational, and pertinent questions that promote this goal.

For parole boards that have a clear role in determining appropriate punishments, a key function of the hearing may be to understand the nature of the offense leading to conviction before moving on to whether an inmate is suitable for release in terms of potential future risk. On the other hand, in some jurisdictions, the sentencing court establishes the limits of punishment. In these jurisdictions, once an inmate reaches eligibility for parole, the overall purpose of the parole board hearing is to determine an inmate's suitability for release. When this is the case, the hearing can best be used to address issues such as risk, how the inmate has taken steps to reduce risk during incarceration, and how he/she might safely make the transition to the community without reoffending. Whatever the purposes of the hearing may be, board members and executives must be able to determine the types of questions that will produce information that is relevant, significant, and necessary to accomplish those purposes. Board members must also be able to pose their questions or make statements in ways that will aid in furthering the purpose of the hearing.

Core Competency 27: *Obtain the skills necessary to conduct a hearing or interview in a manner that will further its purpose.*

Effective Interviewing

Some interviewing techniques are more likely than others to elicit helpful information. Considerable research on interviewing methods indicates that accusing, blaming, chastising, and arguing with offenders is not likely to encourage them to interact positively or provide information in a forthcoming way (Miller and Rollnick 2002; Mann, Ginsburg and Weekes 2002). Inmates, victims, and other interested parties are much more likely to speak freely if a respectful tone is set for the interview and if the questioner displays a positive, professional attitude.

It is also critical that parole board members and executives engage in active and reflective listening during the hearing. In reflective listening, the questioner demonstrates that he/she is listening and understands the nature of what the speaker is saying by reframing or restating what has been said and asking if that is correct. If the time available for a parole hearing is spent looking at information and developing questions, less time will be available to actually hear and appreciate the information that others provide.

In active listening, the questioner makes suitable eye contact with speakers, nods where appropriate, and maintains an open body position to show he/she is receptive to hearing more. Both active and reflective listening are essential skills for those who conduct interviews.

Board members and executives must also have the ability to put others at ease during an interview by creating an atmosphere that promotes appropriate discussion. This atmosphere can be created by addressing individuals in a reasonable tone and manner, using a controlled and measured voice, and paying attention to the surroundings of the hearing room (e.g., taking some measures to reduce distractions, other voices, or noises).

Modeling Behavior

The hearing or interview also offers a tremendous opportunity to convey certain ideas or information to the inmate, and the manner in which board members and executives do this can be very important. For instance, if an inmate is participating in classes that encourage appropriate behavior, then the interview is an opportunity to demonstrate the behavior that is expected from the offender. If one purpose of the hearing is to encourage an inmate to engage in or refrain from certain activities, or to motivate or acknowledge participation in positive programs, then the words parole officials choose to address an inmate can be critical. Failing to acknowledge positive developments may discourage the future behaviors that are in fact sought. Understanding the effect that parole interactions can have on inmates, knowing the purposes of the hearing, and having the skills and abilities needed to conduct an interview properly in light of this information and the goals of the board or agency are critical aspects of effective parole work (McGrath 2003).

Core Competency 28: *Interpret and properly apply case file information to each individual case.*

Review of Case File Information

In some jurisdictions, parole board members do not conduct interviews or hearings with inmates. Instead, various parole staff may have to interact with the offender to satisfy many of the possible hearing objectives outlined above. But in all jurisdictions, some review by parole board members of the offenders' case file information (including participation in institutional

programs, disciplinary infractions, criminal history information, facts of the crime, victim impact statements, and other information and documents pertinent to parole release or violation) must occur. This information may be automated or in paper files. It may be summarized and provided in various formats for consideration and review. Understanding the nature and content of all of this critical case file information is essential to making an informed parole decision.

Parole officials must have sufficient information about the various documents in a case file to be able to appreciate each item's significance. Some material, such as progress reports from program staff, summary reports from psychologists, medical or mental health information, or other relevant documents may require some sophistication to interpret. At a minimum, the competent parole official must be able to comprehend a wide array of information to properly assess the background and activities of an inmate. A case file might include the following:

- Records of present and prior criminal offenses.
- Documentation of institutional performance (disciplinary, classification, programs).
- Medical and mental health records, including psychological profiles and special assessments.
- Diagnostic assessment results measuring inmate education, substance abuse, and other matters.

R E V I E W

Core Competencies Regarding Parole Hearings, Interviews, and File Reviews

To be most effective, parole board chairs, members, and executive staff should be able to answer each question accompanying the core competencies below.

<p>Core Competency 26: Know the purpose and nature of the parole hearing or interview.</p>	<ul style="list-style-type: none"> • Are the purposes of a parole hearing or interview clear in your jurisdiction? Do they include the following?: <ul style="list-style-type: none"> ◦ Fact finding about the offense? ◦ Determining the offender's potential risk? ◦ Determining whether the offender has an adequate parole plan, were he/she to be released? ◦ Making clear to the offender the incentives for engaging in appropriate behavior and risk reduction programming? ◦ Enhancing the offender's motivation to change and engaging in law-abiding behavior?
<p>Core Competency 27: Obtain the skills necessary to conduct a hearing or interview in a manner that will further its purpose.</p>	<ul style="list-style-type: none"> • In view of the purpose(s) of the hearing or interview, what techniques and skills must you have to conduct an effective hearing?
<p>Core Competency 28: Interpret and properly apply case file information to each individual case.</p>	<ul style="list-style-type: none"> • Have you had the opportunity to become familiar with the information typically found in an inmate case file and to consider how best to use and interpret that information in making your decisions?

Parole Conditions That Support the Goals of the Parole Board or Agency and Evidence-Based Principles and Practices

Once a jurisdiction determines that an inmate is eligible for release on parole—whether this decision is made after a

hearing or case file review and regardless of whether the jurisdiction has a mandatory or discretionary parole release process—the jurisdiction will impose some conditions on the inmate as a condition of release. This fact is one element that unifies all parole systems.

Core Competency 29: *Understand the compelling need for each condition that your jurisdiction routinely imposes.*

State-Mandated Conditions

Jurisdictions differ considerably in the standard or routine conditions they impose in every case. In some states, a small number (6 or 7) of these conditions are placed on every parolee, whereas in other states, the number of conditions might be 20 or more.

It is important for parole board members and executives to understand why each condition exists. In some jurisdictions, standard conditions have expanded over time in response to particular situations or occurrences. Each condition carries with it a very specific implication: that failure to abide by the condition may result in reincarceration for the parolee. Jurisdictions should impose standard conditions only if they represent fundamental considerations that are relevant in every case. Standard conditions might include:

- The duty to report to a parole officer as ordered.
- The responsibility to obey the law.
- Refraining from possessing firearms or other deadly weapons.
- Notice that extradition is waived if the parolee is captured in another state.

- Notice that financial obligations (whether previously ordered, imposed by operation of law, or placed as a special condition of parole) must be met.

Other conditions routinely imposed might include:

- Submission to random drug testing.
- Notice that the inmate must consent to searches of his or her person or property.
- Refraining from associating with known felons (with certain exceptions).
- Refraining from the use of alcohol (or drinking to excess).

Whatever the standard conditions a jurisdiction imposes, parole board members and executives should examine the specific need for or value of each one. Parole conditions outline parole staff supervision and parolee compliance. If listed conditions are too numerous, unrealistic, or unnecessary for the case, they simply create roadblocks to successful parole supervision outcomes. Parole release officials should be able to determine whether every standard condition is in fact required in all cases. Parole officials should also be able to determine whether the language conveying the nature and purpose of each condition is reasonably easy for those who must comply with the terms of the condition to understand.

Core Competency 30: *Know how to impose special conditions appropriately and effectively.*

Special Conditions

Although standard conditions should reflect basic components of a parole contract, a parole board may tailor additional or “special” conditions to each individual case. Some jurisdictions tend to impose a relatively small number of special conditions, while others may impose a multitude of additional responsibilities. Parole boards should impose special conditions when these conditions are pertinent, relevant, and necessary for the particular case. Parole officials should be able to understand the nature of, specific requirements for, and reason for imposing special conditions.

Evidence-based practice research has generated some interesting findings on imposing conditions. It appears that although some higher end conditions (such as placement in a residential substance abuse program) may help address particular criminogenic factors and may reduce the likelihood of recidivism for higher risk offenders, these conditions may actually contribute to increased recidivism for lower risk offenders (Bonta, Wallace-Capretta, and Rooney 2000; Lowenkamp and Latessa 2005).

The notion that more is better when it comes to imposing conditions on parolees is simply inaccurate. Control and punishment-oriented conditions (such as curfew, home detention, or intensive supervision), without treatment, appear to have little positive effect on reducing recidivism (Aos et al. 2001; Lipsey and Wilson 1998). Conditions should focus instead on individually determined criminogenic factors (e.g., antisocial attitudes, substance abuse) when such factors appear to contribute significantly to the likelihood of recidivism.

Parole board members and executives must understand the special conditions that their jurisdiction may impose upon inmates and the reasons for imposing such conditions. They must also be aware of current research on evidence-based practices concerning the relationship between particular conditions and recidivism. Parole officials must be able to apply this information to individual cases in a manner that will enhance public safety by promoting greater offender success.

Furthermore, parole board members and executives should have some understanding of the programs and services that may be

imposed as special conditions, including the nature, purpose, target population, fees imposed, and methods employed by the program or service. Some programs may use effective and appropriate approaches to the services they provide, but these services may be tailored to best serve populations with particular needs or circumstances. For instance, a program that requires attendees to have a certain reading level or reasoning skills may not be appropriate for all offenders. Efforts that target specific criminogenic needs of moderate and higher risk offenders appear to have the greatest effect on reducing the likelihood of recidivism. In addition, parole board members and executives should understand the concept of program responsivity: that programs or services that are more responsive to the circumstances of the offender will be more effective in influencing future behavior.

Violation Decisionmaking

Once a jurisdiction releases an inmate on parole, the parole conditions imposed, along with assessment tools and case planning methods used by the parole supervision agency, drive offender management efforts. The number and types of conditions a jurisdiction creates can substantially affect the frequency or likelihood of violations occurring. Because the conditions imposed reflect a variety of expectations that jurisdiction has for the offender—including responsibilities for addressing a number of critical areas that may have existed prior to incarceration—parole violations are not unusual. In fact, parole officials should expect that some number of violations will happen, especially when conditions are not prioritized or when multiple conditions pose conflicting requirements (e.g., when an offender must be employed but must also be in a residential program).

Parole board members and executives should have a reasonable understanding of the philosophy, structure, and methods an agency uses to supervise parolees. Understanding the parole supervision system is critical for an individual who must make judgments concerning parolees charged with violating imposed conditions. Responding to violations is an integral part of parole supervision, and the philosophies, approaches, and potential sanctions employed by parole supervision agencies vary considerably.

REVIEW

Core Competencies Regarding Parole Conditions That Support the Goals of the Parole Board or Agency and Evidence-Based Principles and Practices

To be most effective, parole board chairs, members, and executive staff should be able to answer each question accompanying the core competencies below.

Core Competency 29:
Understand the compelling need for each condition that your jurisdiction routinely imposes.

- Do you and your colleagues have an opportunity to discuss and agree on the rationale for the standard conditions imposed?
- Are each of the conditions realistic and relevant to routine supervision?

Core Competency 30:
Know how to impose special conditions appropriately and effectively.

- Are you familiar with the range of special conditions that you can impose?
- Do the parole board members generally agree that special conditions should target criminogenic needs with interventions demonstrated to be effective in reducing those needs?

Core Competency 31: *Know the jurisdiction's parole violation system, understand the philosophies and policy choices that drive its decisionmaking, and be able to discharge parole violation duties effectively.*

State Parole Violation Policy

In all jurisdictions, parole officers interact with parolees and provide guidance, direction, counsel, and information. However, jurisdictions vary widely in their methods and policies concerning responses to inappropriate parolee behavior. In some jurisdictions, parole agents have the authority to impose low-level sanctions (such as increased reporting, referrals to programs, and written reprimands) without approval from higher officials or board members. Some jurisdictions allow frontline parole agent supervisors to take other actions, such as imposing curfews or requiring the parolee to participate in special activities such as day reporting programs. Some jurisdictions allow parole agents or supervisors to make decisions concerning the need to issue warrants or citations, whereas others require approval from board members or other officials.

In some parole agencies, specialized hearing officers determine whether there is probable cause to believe that a violation has occurred, and they may impose sanctions short of incarceration (such as placement on intensive supervision or placement in an

in-patient treatment facility). Other parole agencies allow only for probable cause determinations to be made and reserve all issues concerning sanctions or responses to violations for board members or others.

Parole board members and executives must fully understand the policies and practices of their jurisdiction concerning responses to violations, including:

- Who possesses the authority to issue warrants or other legal process.
- Whether parole agents or other supervision staff are authorized to impose sanctions in response to violations.
- Who determines probable cause, and how.
- What violation responses are available at each level of the violation process.
- What information is contained in parole case files and violation reports.

- What responsibilities board members and executives have during final violation hearings.

Once parole board members and executives understand these matters, the critical remaining question is whether or not these policies and practices are consistent with the philosophy and values of the board or parole agency. If the jurisdiction holds that

parole violations should be resolved at the lowest possible level, that the least onerous sanctions necessary to resolve a violation should be imposed, and that parole supervision staff can be trusted to make reasonable decisions concerning the issuance of process, then parole board members and executives must reflect these ideas in the policies and practices of the board or agency.

Core Competency 32: Understand the potential value of applying promising, evidence-based approaches to addressing parole violations and impose appropriate, consistent sanctions in each case.

Evidence-Based Parole Sanctions

Anticipating parole violations and crafting appropriate policy responses to such violations appears to represent an emerging best practice. Developing responses that are immediate, consistent, and proportional to the violation and that consider pertinent offender risk information appear to have a substantial effect on reducing recidivism in individual jurisdictions (see, e.g., results from Kansas, Georgia, New Jersey, Missouri).

An evidence-based approach to violation decisionmaking requires that jurisdictions undertake the starting point of supervision—the imposition of conditions—in a well-reasoned, appropriate manner. Imposing unnecessary or punishment-oriented conditions without requiring necessary treatment or services may cause otherwise avoidable violations. Failing to prioritize expectations or imposing unrealistic or unachievable conditions may also foster undesired results. From the perspective of evidence-based practice, conditions should focus first on relevant criminogenic considerations.

The offender management philosophy of the supervision agency should be oriented to offender success. Agencies that seek to enhance public safety by taking steps to promote the success of offenders have had considerable success in reducing failures under supervision. Promoting parolee success requires supervision staff to have the skills and abilities to interact with parolees appropriately, involve them in case-planning activities, and encourage the resolution of problems at early stages. Parole board members and executives should know the supervision

agency's philosophy and approach to meeting its responsibilities and the value of using success-oriented supervision methods.

A violation response system should have a continuum of appropriate low- and intermediate-level responses for predictable violations (such as failing to report, being unable to find employment, or not meeting certain financial obligations). Rather than investing energy in catching offenders when they fail, and then devoting considerable energies to responding to those failures, parole agencies can anticipate certain types of violations and spend time and effort trying to prevent their occurrence. When violations do occur, simple, effective responses at the frontline may keep them from becoming more numerous or serious. Board members and parole executives should know the value of having such sanctions available to supervision staff.

Consistency

To encourage consistency of response in violation matters, the use of a guideline or tool may be helpful. Violation responses should be appropriate to the level and nature of the violation and account for the risks that the offender poses to the community. A parole violation guideline or tool may help to sort cases according to risk and severity of violation and provide guidance about the level or nature of violation response that may be appropriate for a case. Therefore, board members and executives should recognize the potential benefits of using a parole violation guideline tool and be able to use the tools employed in their jurisdiction properly.

REVIEW

Core Competencies Regarding Violation Decisionmaking

To be most effective, parole board chairs, members, and executive staff should be able to answer each question accompanying the core competencies below.

Core Competency 31:

Know the jurisdiction's parole violation system, understand the philosophies and policy choices that drive its decisionmaking, and be able to discharge parole violation duties effectively.

- Do you have an effective method of communicating with the supervision agency so that you understand its typical approach to supervision and responding to violations?
- Does the parole board's strategy for responding to violations integrate well with the supervision agency's strategy and approach?

Core Competency 32:

Understand the potential value of applying promising, evidence-based approaches to addressing parole violations and impose appropriate, consistent sanctions in each case.

- Can you target more intensive risk reduction responses to violators who represent higher levels of risk and severity of violations?
- Can you target less intensive, accountability-based responses to lower risk offenders whose violations are less severe?

Conclusion

When parole first came to be a widespread aspect of the criminal justice system in America in the early part of the 20th century, it was thought that ordinary citizens with good judgment and an appreciation of human nature were well equipped to be parole board members. That is far from the case today. As this paper has outlined, the role of paroling authority members demands competencies in shaping and leading complex organizations, collaborating across the multiple boundaries of the criminal justice system, an appreciation of the science underlying good decisionmaking tools and effective interventions, as well as an ability to make good individual case decisions. It is hoped that this document, along with others in the series sponsored by the National Institute of Corrections, will be a resource for paroling authority members, as well as for Governors and their staffs as they consider and make appointments to these important decisionmaking bodies.

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GEORGIA TPCI POLICY TEAM CHARTER

FOR THE RELEASE DECISION MAKING AND TRANSITIONAL PREPARATION SUB-GROUP

TEAM MISSION: To identify opportunities and recommend strategies for improving the nature, quality or timing of release decisions and release preparation activities concerning adults and juveniles who transition from an incarcerated setting to their communities. The recommended strategies should focus on:

1. the articulation of specific offender factors that are significant to release decision making authorities and to staff involved in transition preparation planning;
2. methods, tools or processes that would allow for the early identification of significant offender factors and the sharing of this information with the release decision making authorities or staff involved in transition preparation planning;
3. linking the identification of specific and significant offender factors, efforts by staff and the offender to appropriately address these factors while in custody, and the timing or outcomes of individual release decisions in light of the issues identified and the actions taken to address these issues while in custody;
4. the relationship between the existence of significant, on-going risk and needs factors and the use of specific release conditions;
5. inter-agency cooperation and methods used to assist offenders in preparing for release and meeting the initial challenges associated with placement in the community.

The Policy Team is seeking to develop an inter-agency approach to offender transition that will encourage greater offender success after release, thus decreasing recidivism amongst this population. In pursuing this outcome, it is apparent that the work of releasing authorities and transition preparation efforts are critical elements of the overall system. In developing strategies in this important area, the sub-group should consider the value associated with the appropriate exchange of information between those agencies involved in offender transition activities. Working alone, or without the benefit of objective and pertinent information, each entity may only reach certain issues or be able to take certain actions. Working in harmony, agencies may be able to realize significant enhancements to their current approaches. Therefore, the sub-group should consider the types of information that are critical to release decision making and transitional planning officers, and consider how improvements in the nature or flow of this information could occur.

Assuming that we understand the actions that we would like for offenders to undertake concerning their risks or needs, the sub-group should consider how the release decision making and transitional planning process can encourage appropriate offender participation in programs and services. Finally, since we know that a significant percentage of offender failure occurs during the first few months after release, the sub-group should also review and consider the methods, tools, timing of interventions, and other actions that are taken prior to release that can have a significant impact on the offender's success in the community after release.

Used with permission from the Georgia Transition from Prison to the Community Initiative, 2005.

BACKGROUND: The State of Georgia is engaged in a comprehensive effort to study and make necessary modifications to its offender transition and reentry systems. The purpose of this undertaking is to identify key system elements, resources and policies that are fundamental to the operation of the current offender transition system, and to make modifications, reallocations or other changes that appear necessary to increase the likelihood of successful offender transition to the community.

Currently, Georgia has the 6th largest prison population in the nation, and ranks 7th nationally in incarceration rate per 100,000 adults. Approximately 18,000 adults will be released from prison in the next year to return to their communities. In addition, approximately 30,000 juveniles are under the State's supervision.

UNDERSTANDING RELEASE DECISION MAKING AND TRANSITIONAL PREPARATION: Initially, the sub-group should focus on the methods and processes currently employed to make decisions concerning the release of individuals from custody. This includes reviewing:

- the timing of release consideration and reconsideration,
- the factors that are considered by the releasing authority in making a decision, including input from victims, judges, District Attorneys, law enforcement personnel and other individuals or entities,
- the process that exists to foster and support release decision making,
- the instruments or tools that are used to aid the decision makers,
- data that helps to demonstrate the number of cases considered, the outcomes of decisions made, and other pertinent information;
- the role that other agencies/entities play in the release decision making process.

At the appropriate time, the sub-group should be prepared to share its finding concerning the release decision making process and data with the Policy Team, so that individuals working on other sub-groups can better understand the release decision making system. The System Mapping and Data sub-group may be of considerable assistance in pursuing this aspect of the work.

Once a clear understanding of how the release decision making process works, the sub-group should engage in a similar review of how offenders are prepared for transition to the community. This should include the identification of individuals involved in the process, outline the type of information or actions that they may be involved with, and consider data that would aid all members in understanding the flow or magnitude of the offender transition process. The goal of the transition planning process is to identify significant issues, related to that offender's potential for recidivism, which can be addressed prior to release, during incarceration, and immediately after release.

Critical issues in this area will include understanding:

- who is involved with assisting offenders to prepare for release;
- the point in time at which formal release planning begins;
- the type of information that is available to assist the individual involved in release planning;
- the resources or services that are available to assist with the transitional planning process;
- the ways in which different agencies or personnel are involved in developing or carrying out transition plans.

By understanding current methods, the sub-group will be better prepared to identify any apparent gaps or issues associated with the steps or processes that are currently employed in this area. The work of several other sub-groups may be valuable in this effort. This would include the work being done by the Employment and Education, Housing, and Treatment sub-groups. The sub-group should solicit input or assistance from these other sub-groups as might be helpful or appropriate.

LINKING RELEASE DECISION MAKING AND TRANSITIONAL PLANNING WITH ASSESSMENT AND PROGRAMMING: Numerous studies over the past fifteen years have indicated that the identification and provision of appropriate treatment and services to offenders in a variety of specific areas can have the effect of reducing the likelihood of an offender's failure in the community after release. These studies have revealed some critical components associated with successful approaches. The first important area is the ability to distinguish the individual risks posed by particular offenders. Focusing treatment services or other programming resources on individuals who are the least likely to fail while under supervision is not only an inefficient use of resources, but it also appears to actually increase the likelihood of the offender's failure. Therefore, it is important to have a common understanding of individual offenders' risk of failure, and to focus program resources on the moderate and higher risk individuals.

Secondly, offender programs that focus on specific "criminogenic need" areas appear to have a greater impact on reducing recidivism. Substance abuse, mental health needs, cognitive behavioral programming, and certain other areas appear to be appropriate criminogenic need targets. Offenders must be adequately assessed in order to categorize their specific needs, and appropriate services must be available at meaningful times during the offender's incarceration and after release in order to address these identified needs. This discussion of risks and needs has some very significant implications for release decision making and transitional planning efforts.

In order to appropriately appreciate risks and needs, accurate and adequate assessment instruments must be used. In developing or utilizing assessment instruments, it is important to consider the kind or type of information that would be valuable to release decision making authorities and transitional planning personnel. Assuming that offender-specific risk and needs areas were identified, offender programming could be targeted to address significant issues presented by the offender. The release decision making authority and transitional planning staff would need to understand the factors identified and the steps taken to address those factors during incarceration in order to make the best possible decisions in individual cases. Therefore, the sub-group should consider the kind or type of information that would be valuable to release decision makers and transitional planners, and methods or approaches that could be used to gather and report this pertinent information to them.

Next, in order to give incentive to the offender to participate in programs or activities that can reduce the likelihood of recidivism, the relationship between program participation and the timing or outcome of release decisions should be considered. For instance, it may be possible to identify particular issues or problems that should be addressed by the offender prior to release. This information should be determined and a transition accountability plan ("TAP") for that offender could be developed. The offender's TAP would outline the specific issues, actions and outcomes that the offender should pursue while incarcerated. The releasing authority could play a vital role in encouraging the offender to comply with his or her TAP by permitting information about the TAP and the offender's compliance or adherence to it to play a significant part in the release decision making process.

For individuals who are reviewed by transitional planning personnel outside of a release decision making context, the content of TAP could help to inform staff about significant issues presented by the offender, progress made regarding these issues, and other matters that will be significant in the offender's transition. In light of the above, the sub-group should consider the role that release decision making authorities and transitional planning personnel should play in developing, utilizing and sharing offender information relating to a TAP.

THE USE OF CONDITIONS: The sub-group should also consider the role that conditions imposed at the time of release have on the offender's ability to succeed while under supervision. If specific offender risks or needs have been identified at intake, during incarceration, as part of a TAP or otherwise, this information can be used to inform release decision makers regarding the imposition of particular conditions. One of the overall goals of this effort is to link individual agencies in a comprehensive effort concerning offender reentry. The effective use of conditions can help to build this inter-agency structure and positive approach to managing offenders. However, the imprecise use of conditions can have an adverse impact on this system. If an offender who does not objectively require the imposition of certain programs or conditions is required to participate in such, then this can divert resources, staff time, etc, from those offenders who require such interventions.

The overuse or inaccurate use of conditions may also increase the likelihood of that offender's failure in the community. As noted above, the placement of low risk offenders into certain types of programs or placements may actually increase the likelihood of their failure. Therefore, conditions should be used strategically to address properly identified risks and needs that are related to the likelihood of recidivism. The sub-group should therefore consider the manner in which release conditions are imposed, the basis for their imposition, and recommend strategies that might aid in the best possible utilization of release conditions.

SYSTEM MAPPING AND DATA: A separate sub-group has been created to develop a system map and identify significant data that will help the full Policy Team understand the flow of individuals through Georgia's offender reentry system. The Release Decision Making and Transitional Preparation sub-group should assist the Mapping and Data sub-group, as appropriate or as requested.

SUB-GROUP STRUCTURE: The Release Decision Making and Transitional Preparation sub-group should, at a minimum, have representation from every agency or entity represented on the Policy Team. The sub-group may add any number of additional members from any agencies or entities not represented on the Policy Team if such appears to be beneficial to the work of the sub-group. The final membership of the sub-group must be approved by the Chair of the Policy Team. Ms. Beth Oxford, State Board of Pardons and Paroles, will serve as the Chair of the sub-group. Ms. Oxford will call meetings, establish agendas, and direct the work of the sub-group. The sub-group members should determine who will act as the Recorder for the sub-group. The Recorder will keep minutes of meetings, and provide other assistance to the group as may be necessary.

TIME FRAME: The sub-group should complete its work by June 30, 2005.

The sub-group, through its Chair or Recorder, should be prepared to report its status and results during each monthly meeting of the Policy Team.

Rebecca Sullivan, Policy Team Chair

Date

Beth Oxford, Release Decision Making and
Transitional Preparation Sub-group Chair

Overview of Core Competencies

The Broad Context of Parole Work

Parole's Function, Purpose, and Role in the Criminal Justice System

Core Competency 1: Understand the functions, purpose, and role of parole in your jurisdiction and be an advocate for parole with other key government officials.

- Why was parole created in your jurisdiction, and why has it been modified over time?
- What are the critical philosophies that drive parole in your jurisdiction?
- What are some of the broad public policy implications of your paroling philosophy?
- How can you convey the philosophies and vision of parole to key governmental leaders from the executive, legislative, and judicial branches?

Core Competency 2: Understand the legal and policy foundations for parole in your jurisdiction.

- What essential statutory provisions must you know concerning parole?
- What critical policies must you understand and apply?
- How does local law affect mandatory or discretionary parole in your jurisdiction?

Core Competency 3: Understand the critical role that institutional corrections plays in parole work and be an advocate for effective collaboration.

- How does parole influence institutional corrections in your jurisdiction?
- How is your board working with institutional corrections to forge a common approach to managing offenders over time?
- How are you sharing information and tools and developing partnerships with institutional partners?
- How do institutional programs, classification systems, disciplinary systems, and data systems work?
- How can you improve your collaboration with institutional corrections?

Core Competency 4: Understand the relationship between parole and community supervision partners, develop effective approaches to common activities, and create collaborative partnerships.

- Are you collaborating with your supervision partner to develop a common approach or philosophy to managing offenders?
- Do you understand the effect that your decisions have on the caseloads, requirements, or expectations of supervision staff?
- Do you understand the assessment tools, classification systems, violation systems, and critical policies that drive offender supervision work?
- Are you familiar with existing community treatment or intervention options and the intended criteria for placing inmates in such programs?

Parole and Other State or Local Entities

Core Competency 5: Know the effect that other state and local entities have on parole operations and the influence that parole may have on them; become an advocate for the development of common visions and approaches.

- What organizations can provide essential services or assistance to parolees in your jurisdiction?
- What circumstances do these organizations face, and what priorities do they give to serving the criminal justice population?
- What partnerships exist, or could exist, between a parole board and these organizations?
- What services, programs, and activities in your jurisdiction could assist parolees?

Core Competency 6: Understand the critical role that law enforcement may play in managing offenders in the community and developing effective working relationships with them.

- What role does local law enforcement play in your jurisdiction regarding apprehensions, transportation, home visits, or curfew checks?
- What partnerships have been, or could be, formally established between parole and state and local law enforcement agencies?

Core Competency 7: Learn about the rights of victims and the role that your board plays in assuring those rights in a respectful and humane way.

- Are critical services missing in particular areas of your state?
- What partnerships presently exist with nonprofit, faith-based, victim-focused, or related organizations, and what partnerships could the parole board develop?

Key Legal Issues and Ethical Considerations

Core Competency 8: Understand and be able to apply the basic legal principles that form the foundation of parole work.

- How can your board avoid creating a “liberty interest” in the parole release process? How does it provide “due process” in its decisionmaking about revocation?
- How might policies and procedures affect due process and ex post facto considerations?
- How might the imposition of certain conditions affect First Amendment freedoms?

Core Competency 9: Become familiar with the special legal issues or challenges that may be present in your jurisdiction.

- What legal challenges routinely occur? Have objections to particular issues been on the rise?
- Are other public officials raising concerns? How can board members and executives best address these issues and remain advocates for parole?
- What defenses are available in the event of litigation? Who represents board members and executives in these cases?

Core Competency 10: Know and follow the ethical considerations associated with your work.

- What state ethics laws apply to board members and executives in a given jurisdiction? What requirements must they meet?
- What should board members do in the event of a conflict of interest?

Discharging Duties Effectively

Leadership

Core Competency 11: Be able to articulate the intended direction of your organization.

- What sources can you look for to help your agency determine an appropriate direction?
- How can you communicate this direction to staff and to external partners?

Core Competency 12: Be able to develop vision and mission statements for your organization and share them effectively with others.

- Do you currently have a vision statement for your organization? Does it adequately articulate how the justice system will improve if you can attain your vision?
- How can you clarify and clearly communicate that vision to staff and partners?

Core Competency 13: Be able to promote competency in work by developing necessary policies and training and by effectively communicating the work of parole to others.

- How does your agency address important issues and avoid focusing too much on the urgent?
- What training is available to parole board members and executive staff? How can parole board members enrich and expand their training? What are the most important to include in a training?

Core Competency 14: Be able to clearly delineate and specify the duties, roles, and responsibilities of parole board chairs, members, and executives.

- How are duties, roles, and responsibilities delineated in your organization?
- Are they reviewed periodically and revised as necessary to meet your board's changing circumstances and demands?

Core Competency 15: Understand key management and case information materials and the importance of having this information available in the agency to guide broad policy decisions.

- Are you familiar with the information systems that support your work? What questions do you have and who can provide the information you need?
- Does your board review information on a board- or agency-wide basis in addition to responding to information on individual cases?

Strategic Planning

Core Competency 16: Understand the current status of the board or agency and identify gaps, issues, problems, or needs that face the organization.

- How does your organization articulate and measure its desired outcomes?
- How effective is your organization in achieving its desired outcomes?

Core Competency 17: Develop a structure and forge strategies for addressing and resolving critical issues.

- Does your board meet regularly to address agencywide issues or does it focus primarily on individual cases?
- Do you typically form committees or work groups to take on current problems and issues?

Core Competency 18: Understand available data and information that reveal the board or agency's performance.

- Have you defined specific performance measures for your agency? If not, what might they be?
- Does your information system produce, or could it produce, periodic reports that would provide and track such measures?

Emerging Best Practices and Evidence-Based Practices

Core Competency 19: Review, appreciate, and absorb pertinent evidence-based practices literature and information.

- Do you periodically review and discuss current research and literature in the field at parole board and agency leaders' meetings?
- Do you have access to research in your agency or a partner agency (such as a department of corrections or public safety or a local university with a criminal justice department) that can provide an overview and analysis of the implications of emerging research for your work?

Core Competency 20: Discern lessons from evidence-based practices and apply this information to the operation of your parole board or agency.

- Are you familiar with the considerable policy-relevant body of work available on the NIC website (*www.nicic.gov*)?
- How can you use your authority in making release decisions and setting conditions to target interventions toward higher risk offenders?

Collaboration

Core Competency 21: Demonstrate the skills and abilities necessary to be an effective member of a board or agency team.

- Are you willing to meet with other members of your board and executive staff to consider problems and issues other than those associated with specific cases?
- Do you routinely agree to work on those issues with colleagues?

Core Competency 22: Possess the skills and abilities to develop media, legislative, and community outreach strategies.

- Do you have a public information officer, and do you meet with him/her? Is your public information officer routinely asked to develop proposals regarding public and criminal justice system education strategies?
- Does your organization regularly communicate with local and regional media, and can you ensure that the media will disseminate accurate information in the event of a high-profile case?

Individual Case Decisionmaking

Tools That Promote Consistent Outcomes for Similar Cases

Core Competency 23: Understand the value, operation, and benefits of objective offender assessment tools and have the necessary skills and abilities to apply existing instruments properly.

- Do you routinely review assessment information as part of your decisionmaking process?
- Are you aware of the research basis for the tools your agency uses and the extent to which these tools have been validated and normed on your own jurisdiction's population?

Core Competency 24: Know the value of parole guideline tools and have the skills and abilities to apply them.

- If your agency uses parole guidelines (e.g., a matrix or a decision tree), are you familiar with how researchers developed the guidelines, what sentencing interests the guidelines target, and in what manner or how frequently researchers have revised and updated the guidelines?
- Are there questions or concerns you have about the guidelines? Do you have a way to express those concerns and have them addressed?

Core Competency 25: Use and select appropriate assessment information and guideline tools.

- Do you and your colleagues have the opportunity to discuss and practice using various tools as a way of becoming familiar with them and skilled in their use?
- Do the policy, technical, and research staff involved in developing the guidelines provide you with an overview of the degree to which your decisions should follow those guidelines and flag any areas for analysis and potential change—either in the guidelines or in your practice?

Parole Hearings, Interviews, and File Reviews

Core Competency 26: Know the purpose and nature of the parole hearing or interview.

- Are the purposes of a parole hearing or interview clear in your jurisdiction?
Do they include the following?:
 - Fact finding about the offense?
 - Determining the offender's potential risk?
 - Determining whether the offender has an adequate parole plan, were he/she to be released?
 - Making clear to the offender the incentives for engaging in appropriate behavior and risk reduction programming?

- Enhancing the offender's motivation to change and engaging in law-abiding behavior?

Core Competency 27: Obtain the skills necessary to conduct a hearing or interview in a manner that will further its purpose.

- In view of the purpose(s) of the hearing or interview, what techniques and skills must you have to conduct an effective hearing?

Core Competency 28: Interpret and properly apply case file information to each individual case.

- Have you had the opportunity to become familiar with the information typically found in an inmate case file and to consider how best to use and interpret that information in making your decisions?

Parole Conditions That Support the Goals of the Parole Board or Agency and Evidence-Based Principles and Practices

Core Competency 29: Understand the compelling need for each condition that your jurisdiction routinely imposes.

- Do you and your colleagues have an opportunity to discuss and agree on the rationale for the standard conditions imposed?
- Are each of the conditions realistic and relevant to routine supervision?

Core Competency 30: Know how to impose special conditions appropriately and effectively.

- Are you familiar with the range of special conditions that you can impose?
- Do the parole board members generally agree that special conditions should target criminogenic needs with interventions demonstrated to be effective in reducing those needs?

Violation Decisionmaking

Core Competency 31: Know the jurisdiction's parole violation system, understand the philosophies and policy choices that drive its decisionmaking, and be able to discharge parole violation duties effectively.

- Do you have an effective method of communicating with the supervision agency so that you understand its typical approach to supervision and responding to violations?
- Does the board's strategy for responding to violations integrate well with the supervision agency's strategy and approach?

Core Competency 32: Understand the potential value of applying promising, evidence-based approaches to addressing parole violations and impose appropriate, consistent sanctions in each case.

- Can you target more intensive risk reduction responses to violators who represent higher levels of risk and severity of violations?
- Can you target less intensive, accountability-based responses to lower risk offenders whose violations are less severe?

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