Parole is an existing part of the judiciary legislation. Parole is decided on the day of the trial of the offender. Many scholars and expects on the field are most of the time debating on whether or not parole will keep offenders from re-offending. According to research, inmates that are released on parole in the state of New Jersey are less likely to be rearrested for committing serious crimes, but possibly for technical offenses such as driving under the influence of alcohol or failing to pass a drug test. These findings help us understand the value of parole supervision, which has a further impact on the cost of incarceration and parole.

According to the Department of Justice, parole supervision is unbelievably costly. The state that the reason is because when offenders are released from prison, they need to be reintegrated into society and need the assistance and resources to do so. The programs that will assist these offenders find jobs require finding. According to U.S. Attorney General John Ashcroft, one hundred million dollars, doled out to states to stimulate development of offender support systems is barely making a dent.

Moreover, when we refer to the numbers of offenders that are being released, the Department of Justice shows the following:

*The U.S. Justice department’s most recent statistics show that convicted felons many of who are high risk with a history of violent crime – are being turned out of prisons at the rate of some 1,700 a day. About 630,000 offenders will come “home” from prison this year alone, and twice that many 1.2 million are expected to be released in 2010, justice officials predict.*

One of the main issues regarding the parole of most inmates, is that 80% of them have lack of skills, serious addictions, and mental health issues. Research shows that there are many programs inside of the correctional institutions that can assist inmates with these problems, but usually only 20% of the population participates, which subsequently makes the offenders’ reentry into society much more difficult.

According to the Bureau of Justice Statistics, the numbers of adults on parole in the state of Maryland vary depending on the year. In 1999, we had 15,001 inmates that were released on parole. In nine years, that number has decreased to 13,633. During the year of 1975, we see that the offenders were 5,129 which of course indications that verdicts were much stricter compared to the present.

More statistics regarding parole from the Bureau of Justice include:

- The number of adults under community supervision declined by about 40,500 during 2012, down to 7,781,300 offenders at the end of 2012.
- Both the probation (down 38,300) and parole (down 500) populations declined during 2012.
- During 2012, an estimated 4.1 million adults moved onto or off probation.
- Sixty-eight percent of probationers and parolees completed their term of supervision or were discharged early during 2012, up from 66% in 2011.
The Maryland Department of Parole is responsible for taking care of 600,000 offenders who have been granted an early release through their parole system as a result of being convicted in various courts around the state. The Maryland parole process is a political process that was established and changed several times from indeterminate sentencing to determinant sentencing in order to determine how much time a person would do before they were granted parole.

There are four types of parole release in Maryland:

1) Discretionary release – typically what most people view as parole and takes place based on a decision made by a parole board, pending approval by the governor, which reviews an inmate's application for release after that inmate has completed the minimum time of sentence.

2) Mandatory parole – includes the automatic release of a prisoner conditional to certain parole requirements who served a determinate sentence.

3) Expiration of sentence – when an inmate has served the full maximum sentence and must be released unconditionally without any parole or reporting.

4) Other conditional releases – a residual category for pardons, commutations, and deaths.

Historically, discretionary parole was the norm, as all states and federal government followed the reformatory model of prison which sought to rehabilitate criminals and to use the parole process as both motivation for reform and a means of evaluating the person's future ability to function safely and productively in society.

In recent decades, discretionary parole has fallen out of fashion as prisons have shifted their functions from rehabilitation to warehousing and punishment. One of the original sparks for the decline in discretionary parole occurred when the states moved from indeterminate to determinate sentencing schemes. Under the new determinate sentencing laws, prison terms were firm and generally much higher than before based on sentencing guidelines established by the legislature. By 2001, states had abolished all possibilities of discretionary release and four more states had ended it for certain violent offenses or other crimes against a person. In these states, mandatory parole became the only realistic option for release from prison.

Congress passed the comprehensive Crime Control Act of 1984, as this act eliminated parole for all offenses effective after November 1987. As a result, prisoner's sentences after 1987 had no possibility of receiving parole in their lifetime.

The U.S. Parole commission still exists for the purpose of considering parole eligibility for inmates sentenced prior to 1987 and 2000, for the district of Colombia. The increase in life sentences also played a role in eliminating the parole board because until the law of the governor having to stop parole releases for lifers, the parole board could grant lifers parole.

As you can see, there are many changes in the laws governing parole and how it works. These laws are basically in place to make the justice system worse by eliminating the parole system and creating long-term sentencing and life sentences to keep the percentages of people in prisons as high as possible so people can have jobs and be able to work. As of 2015, there have been bills submitted to change the parole process and some sentencing laws so that inmates can benefit from the changes by taking the parole process out of the hands of the governor and let the parole board have full authority to grant parole releases.

Some facts about parole include:

- A victim of the violence crime, a personal representative of a deceased victim, the parent of a victim who is a minor, a victim of domestic violence, and the victim of child abuse can open a parole hearing for an inmate.

- Parole hearing dates are based on the length of an offender's sentence.

- Victims of a crime have the rights to submit a victim impact statement, meet with the parole commissioner, and have the right to open a parole hearing for an offender.

- The results of a parole hearing can include the commission approving the release, rehearing the offender at a future date to be determined by the commissioner, or deny the parole release.
The following interview provides the answers of two offenders who have been recently released from prison. The first person interviewed served 36 years before he got his life back and the second personal served a significantly less sentence time and had a guaranteed release date. The following questions were asked during the interview with the answers provided below:

**Interview #1 – Offender #1**

**Question 1** - On a scale of 1 to 5 (1 being completely unfair and 5 being completely fair), how fair are parole hearings for offenders?

Answer: Was unable to answer

**Question 2** – Is parole/probation designed for success or failure?

Answer: It’s up to the individual. It’s not parole/probation’s responsibility to find jobs, etc. They are strictly for supervision.

**Question 3** – How is probation and parole beneficial to ex-cons, communities, and the establishment?

Answer: Brings accountability to the individual until he/she can prove his/her ability to function as a normal citizen.

**Question 4** – How is probation and parole detrimental to an offender?

Answer: Haven’t seen any negatives in the process or being on parole.

**Question 5** – What changes need to be made to parole hearings and the probation and parole process upon release of an offender?

Answer: Must do more to prepare convicts for release. People are thrown back into society and hostile environments without being prepared or knowing what to expect. Probation and parole needs to be more involved with the process at an institutional level.

**Interview #2 – Offender #2**

**Question 1** - On a scale of 1 to 5 (1 being completely unfair and 5 being completely fair), how fair are parole hearings for offenders?

Answer: It’s supposed to be a hearing that is fair and impartial. However, that is not the case. One or two people shouldn’t be empowered to decide whether or not an individual or his family is forced to endure the life threatening conditions imposed by the Department of Public Safety and Correctional Services. Most hearing officers and commissioners already have their minds made up based on the crime committed.

**Question 2** – Is parole/probation designed for success or failure?

Answer: Neither. Parole and probation are designed for control, it is heartless, mindless, and has a lack of spirit for humanity. A mechanical system that is indifferent towards success or failure for the offender. It should be geared towards reentry assistance and the agents should be more like case managers.

**Question 3** – How is parole and probation beneficial to ex-cons, communities, and the establishment?

Answer: Helps ex-offenders resist the temptation that could end in recidivism. Benefits the community and the system because the cost of housing and inmate is greater than the cost of rehabilitating and educating him/her.

**Question 4** – How is parole and probation detrimental?

Answer: It is detrimental because offenders are not always approved for release and it is a mechanical system that lacks a sense of humanity for the offender. It is not involved with the offender and their development and uses the crime that the offender committed as grounds to the decision on whether parole is granted or denied.

**Question 5** – What changes need to be made to the parole hearings and the parole and probation process upon release of an offender?

Answer: Parole hearings should be voted on by the parolee’s community after the community is able to hear the offender’s hearing through a recording. It is the community that parolees are to be returning to and the community is a better judge to whether or not parole should be granted. Upon release, parole officers should be supervising programs and ex-cons should be able to earn good conduct credits for jobs, community service, stable housing, and various other accomplishments that may be difficult to obtain due to circumstances. The community should be able to determine parolee’s supervision status.
Lifers and the Opportunity of Parole

by Harlow

The Supreme Court of the United States has ruled that parole is a privilege rather than a right.

More than 2,000 people are serving parole eligible life sentences in the state of Maryland, approximately 200 of them were juveniles when they committed their crimes and have served well over 30 to 40 years.

These men and women under the current, sentencing and parole schemes are unconstitutionally condemned to spend the rest of their lives in prison without any meaningful opportunity to release, not considering their youth at the time of the crime.

Three men who were juveniles at the time of their crimes, Calvin X, Nathaniel X, and Kenny X have filed suit to challenge the preposterous denial of parole by the governor in hopes of reversing his antiquated policy and practice.

This challenge is presented on behalf of juvenile lifers, individuals who were sentenced to life in prison in state courts for acts committed when they were minors, without appropriate consideration of their youth. These men have been and continue to be denied a meaningful chance at release, in violation of the Eighth Amendment to the U.S. Constitution and Article 25 of the Maryland Declaration of Rights.

The United States Supreme Court, in a series of decisions, has forbidden as unconstitutional life without parole for all juveniles but the rare juvenile whose crimes reflects irreparable corruption and declared this substantive constitutional rule retroactive.

The court has found that young people are constitutionally different from adults for purposes of sentencing due to three distinctive attributes of youth that mitigate their culpability: transient immaturity, vulnerability to external forces, and character traits that are still being formed.

The penological justifications for life without parole collapse in light of the distinctive attributes of youth, rendering life without parole an unconstitutionally disproportionate punishment as to all but the rarest of juvenile offenders, whose crimes reflect permanent incorrigibility.

In 1994, the Division of Correction adopted policies that bar juvenile lifers, as well as any other lifer, from moving below medium security status regardless of the person's institutional record. In 1997, the DOC adopted policies that serve categorically to bar lifers, including juveniles, from eligibility to work release and family leave programs. These policies have remained in effect for the last two decades and continue to govern the classification and access to programs for all juvenile lifers.

In the DOC, security classifications determine virtually all aspects of an individual's conditions of confinement. An individual's security classification determines in which institutions he or she may be housed, the level of restriction upon his or her freedom of movement, and all aspects of program eligibility, including access to treatment, training, and employment.

In conclusion, no matter what an inmate does, if he or she is serving a parole eligible life sentence in Maryland, they are denied a meaningful and realistic opportunity for release on parole which violates the amendment discussing cruel and unusual punishment. Where is the justice? Where is the opportunity? These are questions constantly being unanswered.
Personal Feelings about Parole

by Violet

The parole process in Maryland has many positive and negative aspects involved. Some of the negative aspects to the parole process include that it is very restrictive and unfair to the offenders. Some inmates do not ever get a chance for parole depending on the circumstances of the offender and the crime committed. Parole should be available to all inmates at least once during their sentence.

One of the issues with the parole process includes the focus of the parole hearing being solely based on the decision of the victim and what they believe should be done. According to the Department of Public Safety and Correctional Services, the parole commission encourages the victim to play an important role during the decision process. Any victim of a crime would want the perpetrator to stay locked up in prison for as long as possible because they believe that the person who did harm to them should be harmed as well and be punished. The victims do not care about the well-being of the inmates or whether or not they have improved themselves as a person. The commission focuses on the victim’s rights during the parole hearing instead of focusing on the offender and giving them a chance.

The parole system is biased in every way possible and I believe that the victim should not be involved in the decision of whether or not the offender should be released on parole.

The parole process also has very many positive aspects that benefit the offender, society, and the communities. Offenders are given the opportunity to better their lives and are given the opportunity to regain their freedom. Parole is also beneficial to society and the government because of the high cost of incarceration. Inmates that are approved for parole supervision can be encouraged to continue with the good behavior when they are released so they do not recidivate and return back to prison. Providing the opportunity for parole to offenders also helps the issue of prison overcrowding and decreases the amount of money that taxpayers have to pay. Parole provides the offender with a chance for reintegration back into their communities where they came from and the opportunity to rebuild relationships that were broken. Relationships with family, friends, and other loved ones are rekindled after such a long period of time. Also, parole gives the opportunity for the offender to find a job, possibly pursue higher education, and encourages them to continue to work towards being successful. Parole can also help the offender create goals to be achieved and strive for a better future for themselves and their families.

Why shouldn’t an offender be given a second chance of turning their life around?

Why is the criminal justice system so focused on punishment rather than rehabilitation for offenders?

So many unanswered questions...
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