

CALIFORNIA'S FAILED BOARD OF PAROLE HEARINGS COSTS TAXPAYERS
BILLIONS OF DOLLARS ANNUALLY

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By some estimates, the California Board of Parole Hearings (BPH), directly and indirectly, costs the taxpayers of California more than two-billion dollars annually (e.g., infrastructure and operations, attorneys, psychologists, analysts, office staff, prisoncrats of all shapes and sizes; litigation by prisoners wrongly denied parole; \$75,560.00 yearly to warehouse each prisoner; ad nauseam). The BPH justifies the costs as the necessary price of public safety. A specious justification.

There are many (e.g., victims' rights advocates, politicians, courts, law enforcement, including the California Correctional and Peace Officers Association (CCPOA) (prison guards' union), the media, et al.) that view the BPH as the gatekeeper of public safety. It is the BPH that determines which lifers (prisoners serving indeterminate sentences) are suitable, or not suitable, for parole. Such a view, however, conflicts with the irrefutable evidence that the BPH is -- for public safety purposes -- a failed institution, instead serving only as a political tool of California Governor, Jerry Brown.

Indeed, the BPH serves no public safety function at all. The purpose of the BPH is to manipulate the flow and release of lifers so as to maintain the California Department of Corrections and Rehabilitation's (CDCR) compliance with the prisoner population cap of 137.5% (of design capacity), as

mandated by the federal courts. Voter-approved Propositions 36, 47 and 57 have excluded lifers, but provide early release from prison for drug addicts and career criminals; recidivism (relapse into criminal behavior) rate of 50% to 75%. Those Propositions have been unsuccessful in establishing a durable means of keeping the prisoner population below 137.5%. As a result, Governor Brown instructs his BPH on the number of parole grants he needs to keep the prisoner population at 137.5%. Presently, the BPH is working with Governor Brown's pre-established parole grant rate of 30%.

Executive Officer of the BPH, Jennifer Shaffer, has recently stated that paroled lifers have a recidivism rate of just 1% thus, she crowed, evidence of nearly perfect decisionmaking by the BPH commissioners. If we follow Ms. Shaffer's reasoning, zero parole grants would result in all lifers dying in prison, thus a zero recidivism rate, and the BPH would, therefore, enjoy a perfect record. Again, Ms. Shaffer's crowing conflicts with the facts.

In fact, historical data of the CDCR shows that circa 1980, lifers served between 8 and 12 years before being granted parole; recidivism rate 1%. In the late-1980s it became fashionable to be harsh on offenders and the time served by lifers before being granted parole increased steadily; recidivism rate 1%. Presently, lifers serve decades before being granted parole; recidivism rate 1%. (Over that same time period, most lifers were never granted parole and died in prison.) Fact is, there is no difference to public safety whether a lifer serves 8 years or 40+ years; recidivism rate 1%.

In a 2011 Stanford University Criminal Justice Center study of

860 lifers released since 1999, only five of them returned to jail or prison, and none of them for a life-term crime; recidivism rate far below 1%. According to the CDCR, of 278 lifers released during the 2009-2010 reporting period, 26 (9%) returned to prison, but CDCR's numbers are misleading. Looking deeper, we find that 25 of those 26 prisoners were returned to prison for technical violations of parole conditions. Only one prisoner was returned to prison for committing a new crime. That is one out of 278; recidivism rate, again, far below 1%. Furthermore, the CDCR, citing its own data, admits that for lifers 60 years, or older, having served not less than 15 continuous years, or more, the recidivism rate is -0-. Yet, the CDCR continues to deny hundreds of such prisoners parole every year. (The reasons given by the BPH for such denials will be covered in another writing. Absurd reasons.)

Being the CDCR's own data proves that the BPH serves no beneficial public safety function. Why then are BPH commissioners (presently 12 and already approved to expand to 16) being gifted with approximately \$124,000.00 each in annual salaries? Like the pre-determined grant rate percentage, Governor Brown handpicks individuals to be BPH commissioners; friends, loyalist, acts of recompense. Commissioners offered by Governor Brown are rubber-stamped by compliant politicians. It is no surprise then, that Governor Brown's selected commissioners are, each one, an assortment of bureaucrats, law enforcement types, and other conservatives (many already collecting one or two pensions) who happily bow to consistently and uniformly maintain the parole grant rate, at whatever percentage instructed, by Governor Brown.

As a result of the BPH's drain on taxpayers' dollars, with nothing in return, hundreds, or thousands, of health care

providers and teachers are unemployed, California's infrastructure is crumbling, and citizens go without food or shelter,

The American Law Institute has determined that parole boards are "failed institutions." The BPH serves no public safety function, is not only a failed institution, but is, especially each and every commissioner in particular, parasites on the backs of the taxpayers of California.

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