



**Pennsylvania Parole Board
Testimony of Theodore W. Johnson, Chairperson
House Appropriations Committee
March 30, 2023**

Good morning Chairman Harris, Chairman Grove, and distinguished members of the House Appropriations Committee. Thank you for the opportunity to appear before you today to discuss the Parole Board's budget request for FY 2023-24, our first under Governor Shapiro.

The Parole Board has dedicated staff and board members who are focused on community safety and a comprehensive parole evaluation process. As the Governor stated in his budget address, we continue to be committed to ensuring that the parole process is focused on public safety in a fair and consistent manner. Before I go into the details of our budget request, I would like to update you on Parole Board activities, including the merger implementation.

The overall goal of our agency is to protect the residents of the Commonwealth. We are seriously committed to our work and incorporate science, technology, and professional judgement into all of our decisions. I personally have 45 years of experience working in the county and federal probation and parole systems. Our board members and hearing examiners similarly have a wealth of professional experience.

During the last fiscal year, the Parole Board interviewed 12,032 incarcerated individuals for parole consideration and granted parole to 53% of these individuals. The one-year recommitment rate of incarcerated individuals released during the 2021 calendar year was 13.7%. The three-year recommitment rate of incarcerated individuals released was 36%.

In 2021, the General Assembly passed, and Governor Wolf signed into law, Senate Bill 411, now known as Act 59 of 2021. Act 59 formally merged the Parole Board and the Department of Corrections (DOC). With the parole supervision staff now formally under the DOC, the Parole Board can focus solely on the parole decision process and improving our efforts therein while ensuring public safety. To date, this consolidation continues to run smoothly and has helped to streamline the agencies' work. It has kept independent the decision on whether parole is granted or denied, while helping to ensure that all staff work towards the same goal, and do so under unified direction. It has also led to cost savings through the reduction of duplicative job functions. The Governor, in this budget request, enhances the support for individuals successfully entering the parole system.

I want to assure all members of the committee that our Parole Board votes to release people from prison only after considerable thought and thorough analysis. Additionally, the Pennsylvania Commission on Sentencing has finalized new State Parole Guidelines that have taken effect this calendar year. We are pleased to report that this years-long process has finally culminated in a most effective tool for our decision makers to use moving forward.

To determine whether or not to parole someone, decision makers interview incarcerated individuals and review numerous reports and assessments, including actuarial instruments that predict the likelihood of future criminal behavior, criminal history, past parole or probation supervision history, psychological reports, prison-life behavior, vocational and educational program involvement, compliance with prescriptive programs that address criminogenic and/or

addiction needs, home plans, and reintegration plans. We also consider recommendations from judges, district attorneys, and the victims themselves. In the last fiscal year, our decision makers participated in 602 in-person victim testimonies.

In 2012, the United States Supreme Court ruled in *Miller v. Alabama* that it was unconstitutional to impose mandatory sentences of life without the possibility of parole on juvenile offenders; in 2016, the Court ruled in *Montgomery v. Louisiana* that *Miller* should be applied retroactively. The Commonwealth of Pennsylvania had 521 of these “juvenile lifers” – more than any other state in the nation. Since the *Montgomery* decision, the Parole Board has worked aggressively to interview juvenile lifers resentenced as a result of these decisions. As of December 31, 2022, of the 487 juvenile lifers resentenced by the courts, 414 have been interviewed by the board and 272 have been paroled, for an overall parole rate of 66%. (Some of those resentenced have not yet reached their minimum parole eligibility date.) Only two paroled juvenile lifers have been recommitted on new criminal charges.

The Parole Board continually strives to improve its work. To become more effective in promoting community safety, we regularly monitor parolee outcomes, board decisions, and the reports and assessments available to us.

The Parole Board has embraced the use of technology in all aspects of our decision making and outcome measurement. This has led to numerous efficiencies that both speed up the parole and hearing processes and provide decision makers with more timely access to critical information.

For the coming year, the Parole Board is requesting funding to support mandated parole processes and cost-to-carry expenses. The requested amount will allow the agency to serve Pennsylvania’s parole-eligible population and improve our parole decision process.

In the current fiscal year, the budget for the Parole Board is \$12.7 million. This figure includes essential funding for the board, which includes the Hearing Examiners Office and the Board Secretary Office. In FY 2023-24 we are requesting \$13.2 million to continue to fund our essential operations.

Going forward, in addition to advancing the efforts from Act 59 of 2021, the Parole Board looks forward to continuing to implement the common-sense criminal justice reforms outlined in Pennsylvania’s Justice Reinvestment Initiatives (JRI2) as well as Karen’s Law. The Parole Board and the DOC will continue to be active participants in the Parolee Homicide Review Team, which will report annually on circumstances and efforts to reduce homicides committed by persons on parole.

I am optimistic that the increased opportunities to reduce recidivism by using evidence-based practices to deter and reform criminal behavior will allow us to continue to enhance public safety. I am encouraged by Governor Shapiro’s leadership in this area, and share the Governor’s belief that a safer, more united Pennsylvania is a better Pennsylvania.

Chairman Harris, Chairman Grove, and honorable committee members, thank you for your time and consideration of these additional resources. I am happy to answer any questions that you may have.