



Testimony of Tina M. Stanford

Chairwoman NYS Board of Parole

Before the NYS Assembly Standing Committee on Correction

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Good Morning. I am Tina Stanford. Five months ago I became the Chairwoman of the Board of Parole. My career in public safety includes fourteen years in the Erie County District Attorneys Office and most recently six years running New York State's crime victims agency. Thank you for the opportunity to be with you here today. The Board of Parole has changed over the years, but what has not changed is the importance of the Board's work in the area of public safety and the importance of this work in the lives of men, women and youths sentenced for committing crime and in the lives of people harmed by crime. We realize that our decisions impact many lives. We take that responsibility very seriously.

There are currently fourteen Board of Parole commissioners. While the statute allows up to nineteen, this administration has chosen to have a reduced number of commissioners due to the declining number of hearings before the Board as a result of determinate sentencing. Governor Cuomo is also committed to having a diverse Board to help ensure the integrity of release decisions. Our commissioners have different racial, professional and geographic backgrounds. We are a diverse group of professionals who deliberate together in good faith whether we ultimately agree or respectfully disagree.

I will now tell you about the process we go through in making parole decisions. Inmates who are eligible for release consideration by the Board are seen at least one month prior to the expiration of their minimum term of imprisonment, but as a matter of practice we strive to see these inmates four months prior to release. The parole eligibility date is determined by the Department of Corrections and Community Supervision (hereafter referred to as DOCCS or the department) or the reappearance date as determined previously by the Board. Most are interviewed via video teleconference from their facility location to centralized locations with a handful of facilities remaining where Board commissioners conduct in-person interviews. This practice saves state resources and gives commissioners additional time with inmates and their records that would otherwise be spent traveling between individual facilities. Inmates are seen by randomly selected panels irrespective of where they are incarcerated.

In terms of our parole release decisions, the law requires that the granting of release not be made merely as a reward for good institutional behavior but after considering if there is a reasonable likelihood that the offender will remain at liberty without violating the law. A parole commissioner needs to consider a variety of factors when making release decisions and these factors can be assigned whatever weight the commissioners deem appropriate. These factors include the seriousness of the offense, accomplishments while incarcerated, criminal history, recommendations of the sentencing court and prosecutor as well as any mitigating and aggravating factors.

There is a lot that we must consider and each case involves a unique combination of facts, relevant standards and factors. After review of the written record, interview, contemplation and deliberation, a majority vote of two determines the parole decision in three-person panels.

As you know, under Governor Cuomo's leadership the Department of Corrections and the Division of Parole were merged. This merger was motivated by the goal of better preparing offenders to reenter the community. The merger has improved the parole release decisions made by the Board. The parole board now has direct access to view the type of programming that inmates receive, to the data generated by the Department and to Department units like Health Services to better inform the Board on medical parole cases.

In my brief time with the Board I have paid close attention to common concerns about our process. I appreciate having this opportunity to address a few. Cases are never predetermined. Our independence as critical decision makers, a requirement that at least two commissioners agree, limited time, caseloads and random assignments ensure decisions are not made in advance of the interview. I cannot stress enough how much the inmate's interview demeanor and responses matter to the panel and affect the ultimate decision.

Secondly, commissioners consider an inmate's risks and needs when attempting to measure that person's rehabilitation and likelihood of success upon release, however the weight we give to instruments developed for this purpose is within our discretion. Presently, commissioners review completed COMPAS (Correctional Offender Management Profiling for Alternative Sanction) instruments during parole interviews, ask questions and give inmates the opportunity to respond and comment. Finally, as noted among the factors, it is appropriate and lawful for the Board to consider the seriousness of the offense and confidential victim impact statements. Certainly we know that the past cannot be changed, but those harmed by crime have the same expectation to experience just outcomes as those who are guilty and receive indeterminate sentences. Individual and collective expectations of public safety demand nothing less. This does not mean that the Board acts as legislator, prosecutor or judge. Nor does it mean that we should assume the role of defense attorney or advocate.

I believe that this Board is positioned for success. I'd also like to take this opportunity to thank Acting Commissioner Annucci for his partnership. He makes our successful collaboration a priority, which increases the probability that improvements will continue to be achieved. This Board, furthermore, will continue to train and be trained on the latest evidence-based best practices that apply to our field. Not only is this Board a professional road crew that shifts between travel and office duties each week, we are frequently engaged in training. Our Board of Parole commissioner training includes training on accreditation standards, mental health levels, community supervision, COMPAS, sex offender legislation, time allowances, medical parole, confidentiality, and ethics. We will also continue to update our knowledge regarding local agencies that provide re-entry services to parolees. It is important for us to understand the landscape of help that is available to support successful reentry and the reduction of recidivism and victimization. I am encouraged by what I know of community based efforts and public-private partnerships

The Governor's leadership, the leadership at other Executive agencies and the composition of the Board of Parole at this time are creating great opportunities. New York continues to be among the safest States while experiencing declining prison population. To me this suggests that criminal justice professionals, including Board of Parole commissioners, are doing good work and making wise choices. At the same time we are paying more attention to research and seeking to reap benefits from technology that allows us to infuse evidence based best practices into our field. New York State at this moment has some of the best minds engaged in this work. We must continue to advance in a spirit of respectful collaboration and with great care. Thank you.