



Support HB-15-1122

PAROLE APPLICATION AND REVOCATION

Representative Rhonda Fields and Senator John Cooke

Problem 1:

A prisoner can assault a guard the day before his parole hearing and state law requires that he still be given a hearing. Current law bases discretionary parole eligibility strictly on the percentage of a sentence that has been served; good behavior is not a requirement. Parole Board members consistently refuse to parole troublemakers, but the hearings are still required, case files must still be prepared, and prisoners must be escorted and sometimes transported – all at state expense.

In addition, victims (who are not told the parole hearing is a sham) are re-victimized as they relive the original crime while preparing for the hearing. Prisoners' families who think the hearings mean imminent release build up false hopes. And prisoners, who get hearings regardless of behavior, think of the hearings as a crapshoot instead of focusing on changing their attitudes and behavior.

Solution 1:

This bill makes discretionary parole hearings contingent on acceptable behavior. A discretionary parole hearing will be postponed if the inmate:

- Was convicted of a Class 1 violation of the Code of Penal Discipline (CPD) within the previous 12 months.
- Has, refused to participate in programs that were recommended and made available by DOC within the previous 12 months.

Problem 2:

A Colorado inmate convicted of rape and murder 30 years ago raped another prisoner and had his parole hearing moved up from 2015 to 2013 because the prison rape carried a shorter parole schedule and the law was ambiguous as to which schedule applied. Current law endangers other inmates and re-victimizes original victims.

Solution 2:

This bill requires that the parole schedule with the most distant parole date take precedence.

Additional:

Other paragraphs in the bill make the parole process more efficient, align inconsistent statutes, and clarify ambiguous sections.

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