PAROLE COMMISSION

Staff Meeting Minutes

Wednesday, October 6th, 2021

3099 East Washington Avenue

Madison, WI 53704

Presiding: John Tate II, Chair

Present: Doug Drankiewicz, Jennifer Kramer, Shannon Pierce, Sara Tome, Oliver Buchino

Guests: Alaina Bunger, Elizabeth Lucas (OVSP), Renee Pasciak, Ashley Payne (OVSP), Emma Perez, Amanda Readman, Jaclyn Salinger, Wendy Sisavath, Ben Turk, Michelle Whitney

This meeting was conducted in-part through Zoom Videoconferencing due to social distancing guidelines because of the ongoing COVID-19 pandemic.

The meeting began at approximately 10:00 AM.

Chairman Tate opened by introducing himself and members of the commission. The Chair presented awards to Commissioners Drankiewicz and Kramer for 25 years of service to the State.

Chairman Tate further described new features in WICS for Commissioners to utilize. These are based on different grant types such as grants to detainer or TIS sentences.

The Chair asked Commissioner Drankiewicz about concerns he had raised at the September staff meeting regarding mask policy at RCI. Commissioner Drankiewicz noted the issue had been resolved.

Commissioner Drankiewicz described the impact of Marcy’s Law on victim attendance at parole reviews, and how this includes no cap on the number of victims attending or restrictions on their statements. Commissioner Drankiewicz detailed how this could impact the time constraints of scheduling reviews.

The Chair described how aspects of Marcy’s Law are still being implemented, and are subject to ongoing court proceedings. The Chair noted it would be necessary to determine whether the law specifically prohibits a cap on the number of attendees allowed at a given review. Commissioner Kramer suggested this be discussed with OVSP. The Chair suggested someone from OVSP could participate in next month’s Commission staff meeting.

A discussion was held between Commissioners Pierce and Kramer, and ORA Tome, to further clarify the Pre-Release Investigation (PRI) process. Commissioner Kramer noted Division of Community Corrections (DCC) agents in the receiving county should be conducting the PRI, as Commissioner Pierce noted an issue of some DCC agents approving or denying PRIs for residences that would not be under their direct supervision.

The Chair recommended that Commissioners take into account the holiday schedule when setting eligibility dates for release with grant recommendations. This would be so persons-in-custody granted parole can be with family members during the holidays, but also to consider the holiday plans of institution staff.

The Chair then answered questions submitted by the public regarding parole policy, practice, or procedure.

**Questions**:

**What is the process when the Commission endorses for risk reduction strategies such as programming, but PRC does not approve the actions and they remain incomplete at the time of the next parole review?**

There are a number of options. The Commission can proceed with whatever the next intended step towards a parole grant may be. With regards to programming, the Commission may simply follow up with a second endorsement. Deferrals with programming endorsements represent Commission expectations that programming enrollment occurs during the defer. Commissioner Kramer described consulting with institution staff as to why a given risk reduction strategy does not occur.

**Does the Commission follow up on endorsements, or track whether they’ve been completed?**

Following up on endorsements mainly occurs at the next review, not during the interim, as there are many individual circumstances to each case to be considered.

**What happens at a later parole review if neither programming nor risk reduction is completed through no fault of the person-in-custody?**

The Commission can proceed, as some risk reduction strategies are preferred but can be forgone. This includes some programming, but not Sex Offender Treatment (SOT) programming due to the underlying pathology of those offenses.

**According to the Bureau of Offender Classification and Movement (BOCM), persons-in-custody with defers of less than 12-months should be the highest priority for risk reduction strategies. If this is not being followed, how will the Commission respond?**

The Chair does have conversations with BOCM to resolve these issues for some individuals. However, PRC sometimes disagrees, and the Commission may make decisions to move forward regardless in those cases.

**Would the Commission consider action to bypass PRC and grant parole so that persons-in-custody can complete their programming needs in the Community?**

Commissioners have discretion to work with DCC to assess programming availability in the community, and to take that into consideration in their recommendations. Again, there are many factors that must be considered on a case-by-case basis.

**Are Commission decisions being amended in cases where PRIs have previously been requested and submitted to the Commission in advance of an upcoming review?**

Commissioners still have discretion to amend decisions in these cases. However, the Commission now has a full staff, so Commissioners are the ones to be making those decisions as opposed to the Chair.

**Are grants being given out via mail?**

The Commission does mail copies of grants to the institutions, but the electronic copy is the one that goes to the person-in-custody.

**What triggers a file review?**

Nothing in particular, but the Chair may sometimes review a case based on correspondence received from a person-in-custody.

**Why are Old Law persons-in-custody being told they need to be working in the Community, when the Commissioner knows the work assigners won’t give them jobs? Especially people of color?**

Although work-release was previously suspended due to the pandemic, the Commission would still make endorsements for it as the timeline for restarting those assignments was unknown. Although not by itself a requirement for parole, work-release is an important opportunity as it allows a person-in-custody to reacclimate to the community, and to develop resources so they are not released with a lack of support.

**In its evaluations, does the Commission consider the differences between those persons-in-custody who are under Truth-in-Sentencing offenses and those who are parole-eligible?**

TIS sentencing has no bearing on parole consideration, as the Commission has no authority in those cases and must proceed according to the laws that parole-eligible individuals were sentenced under. TIS is only considered if a parole-eligible person-in-custody also has a TIS case.

The next staff meeting was scheduled for November 3rd, 2021, at 10am. Questions from the public about parole policy, practice, or procedure should be submitted by the Monday prior (11/1).

The open-session meeting concluded at approximately 10:50am.

The meeting then transitioned into closed session, and the No Action case presented by Commissioner Drankiewicz was reviewed.