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A Profile of Paroling Authorities in America: The Strange Bedfellows of Politics and Professionalism

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Mario A. Paparozzi¹ and
Joel M. Caplan²

Abstract

The use of discretionary decision making in parole has been the subject of much criticism over the past three decades. Whether it is either discretionary decision making per se or the context within which such decisions are made that is problematic is unknown. This article captures a profile of how paroling authorities are organized, how their members are appointed, and the work experience, training, and credential requirements that underpin the appointment process. The importance of the relationship between professionalism and discretionary decision making is discussed. Recommendations are made for future studies addressing the relationship between professional qualifications of paroling authority members and parole outcomes.

Keywords

parole, parole board, mandatory parole, discretion, corrections, reentry

The Association of Paroling Authorities International (2007a) has identified 46 chairs of state paroling authorities in the United States. Paroling authorities,

¹University of North Carolina at Pembroke, Pembroke, NC, USA

²Rutgers University, Newark, NJ, USA

Corresponding Author:

Mario A. Paparozzi, University of North Carolina at Pembroke, 1 University Drive, Pembroke, NC 28372-1510, USA

Email: paparoz@uncp.edu

and the chairs who lead them, are an integral and important part of America's criminal justice system—they have historically represented the leadership of America's parole system. Collectively, these authorities oversee the release, revocation, and/or supervision of approximately 725,000 parolees (Travis & Lawrence, 2002). There are an additional estimated 1.2 million inmates housed in state prisons and 750,000 in local jails (Harrison & Beck, 2005), the majority of who will fall under the jurisdiction of a state paroling authority at some point.

Members of paroling authorities frequently provide input into policies governing sentencing, parole, and the overall administration of criminal justice. As leaders in government in general, and criminal justice in particular, it is critical that paroling authorities speak with an informed professional voice. To do so, members of paroling authorities must possess specific values, appropriate professional credentials, and work experience that support parole's unique public safety and justice missions.

There has been much professional and political discussion over the past 30 years about the efficacy of parole, whether or not it should be abolished, and if retained, ways to improve services to offenders and the public at large (Allen, 1995; Associated Press, 2007; Burke, 1995; Haigh, 2007; Holzapfel & Clifford, 1996; South Carolina Attorney General Press Release, 2007; U.S. Parole Commission, 2007). Oddly, there has been no such similar discourse on the foundational issues related to the organizational structure and leadership of paroling authorities.

The importance of the relationship between supportive and qualified leadership and the ability of government programs in general, and correctional programs in particular, to deliver valued outcomes such as public safety and justice has been recognized (Beto et al., 1999; Clear, 1999; Corbett, 1999; Cullen & Stundt, 2003; Gendreau & Andrews, 2001; Moore, 1995; Paparozzi & Gendreau, 2005). Notwithstanding this scholarly colloquy and the intuitive logic of the importance of parole's leadership to positive public safety outcomes, a review of the literature on the impact that the composition of paroling authorities has on the effectiveness of parole systems reveals that this is an area devoid of research and theory. There has been no documented discussion or literature on the makeup of paroling authorities on matters such as credential requirements, work experience requirements, training requirements, the manner in which members of paroling authorities are appointed to their positions, or the ability of paroling authority members to lead and administer a criminal justice system component that potentially affects the lives and well-being of virtually all citizens.

It may be that current practices for selecting members of paroling authorities have had a positive effect on parole system outcomes. However, it is equally, if not more, likely that the qualifications of the leadership of parole in the United States are associated with the aggregate failures and the resultant, seemingly intractable, political criticisms that have haunted parole for the past three decades.

It is generally well known within the profession that members of paroling authorities come from varied backgrounds in terms education and experience, yet too often, these individuals have little or no knowledge of criminal justice, behavioral science, and the nuanced world of corrections and prisoner reentry (Sieh, 2005). Rather, they are generally well-meaning individuals with sufficient political credentials to have obtained entrée into what is, in reality, a very complex and specialized profession.

In an effort to establish a baseline for further scholarly discussion and research on the relationship between the composition of paroling authorities and the appointment processes governing selection of their members, an exploratory study was conducted. The purpose of the study was to survey state parole jurisdictions with regard to issues pertaining to the work, training, and credential requirements for members of paroling authorities. As well, the survey attempted to examine the manner in which members of paroling authorities are appointed to their positions, organizational structures related to leadership, whether they administer parole supervision field operations, and compensation for services.

Understanding the complexities, recent history, functions, and political nature of parole is needed to fully grasp the importance of the public safety and justice implications of the credential requirements and appointment processes of paroling authority members.

The Complexities of Parole

In general, parole references three distinct domains of the criminal justice system: (a) the discretionary release of inmates from jails or prisons, (b) the mandatory release of inmates from prison, and (c) the supervision of conditionally released inmates (aka parolees) in community settings (Travis & Lawrence, 2002). In the final analysis, parole is a component of the criminal justice system tasked with decision making that is inextricably intertwined with public safety and justice.

The public safety implications of parole involve short-term offender risk management and long-term behavioral reform such that propensities for individual offender recidivism will be reduced. Making parole release decisions

is complex; it requires the ability to evaluate, synthesize, and respond to a robust and multifaceted body of information from a variety of sources. Moreover, the ability to establish parole release contingencies that effectively manage a parolee's short-term risk and longer term behavioral reform requires a deep understanding of the social and individual correlates of criminal behavior and strategies for successfully targeting them. To grant parole, the paroling authority must conclude that the inmate will not pose a substantial danger to self or the general public if released. Similarly, concern for public safety in the near term and long term is the fulcrum on which parole revocation decisions rest.

The functions of parole are also conjoined with presumptions of justice across the spectrum of America's criminal justice system. Parole systems bear the responsibility of assuring that fair and equitable decisions are made with regard to granting or denying an inmate's conditional liberty through parole as well as throughout the parole revocation process. Parole release, denial, and revocation decisions are quasi-judicial, and they should not be subject to the whim and caprice of the officials charged with administering parole (American Law Institute, n.d.; Robinson & Dubber, 1999).

Inmates who are granted conditional liberty through a parole process are supervised by parole officers. Ideally, parole officers assess and monitor offender risk, bring together services that target an offender's criminogenic needs, enforce parole release contingencies, and facilitate the return to custody of parolees believed to pose a danger to the public and/or themselves (Seiter, 2002). Often, but not always, the parole supervision process is administered under the hegemony of a paroling authority. Even when paroling authorities do not have direct organizational responsibility for the administration of parole field services, they have a significant impact on the policies and practices that bridle the duties and responsibilities of parole officers. Without the ability to access, understand, and integrate complex information, it is unlikely that paroling authorities can effectively carry out either of these duties and responsibilities (Gendreau, Goggin, Cullen, & Pappozzi, 2002).

Parole: The Demise of Discretion

Prior to the decade of the 1970s, all states had paroling authorities (Griset, 1996; Tonry, 1999). The consensus up to that time was that offender rehabilitation was the primary goal of America's criminal justice system (American Friends Service Committee Working Paper, 1971; Caplan, 2006). Rehabilitation strategies such as parole release and supervision for offenders were in vogue, and there was little questioning of their ability to eventually reduce

offender recidivism. Indeterminate sentencing and discretionary decision making with regard to parole release and revocation were, at that time, the main ingredients for facilitating and accomplishing offender rehabilitation.

In the mid-1970s, the confluence of political conservatives and liberals around the notion that offender rehabilitation was more of a fantasy than a reality (Martinson, 1974) resulted in calls to abandon discretionary parole and implement determinate sentencing policies (Benekos, 1992; Bernat, Parsonage, & Helfgott, 1994; Turpin-Petrosino, 1999). The two major criticisms of discretionary parole were that: (a) discretion was abused, resulting in unfair prolonged incarceration; and (b) paroling authorities made bad decisions, resulting in increased danger to the public.

Liberal reformers argued that indeterminate sentencing and discretionary parole practices were laden in bureaucracy and that the very people that these discretionary-based systems intended to serve often failed to receive any significant benefit. In fact, these reformers opined that the structural use of discretion built into sentencing and parole policies did not include sufficient checks on the potential abuses of power by corrections and parole officials to grant or deny parole, to establish release contingencies, or to revoke a parolee's conditional liberty. The result was that certain inmates, especially the underprivileged, remained incarcerated for longer periods of time in the name of rehabilitation. The liberal reformers proposed what came to be known as the "justice model" (Gaylin & Rothman, 1976), which advocated for determinate sentencing and abolition of parole and strongly de-emphasized the use of discretionary decision making in the name of offender rehabilitation. The concern of the criminal justice system was on the administration of justice and fair and predictable sentencing and prison release policies.

Political conservatives, on the other hand, endorsed the demise of indeterminate sentencing and discretionary parole practices on ideological and practical grounds that were very different from that of the liberal reformers. Conservatives, unlike justice model proponents, were less concerned about the state's potential abuse of the rights of the individual through discretionary sentencing and parole policies and practices. Rather, they saw the issue as a failure on the part of the state to exercise its authority and deal forcefully with the various signs of social disorder. One index of disorder was the crime problem, which, in their view, was exacerbated by rehabilitation policies and their accompanying discretionary sentencing and parole policies that were "soft on crime." Therefore, conservatives firmly embraced getting tough on crime through abolition of parole, longer terms of incarceration, selective incapacitation, and capital punishment (van den Haag, 1975; Wilson, 1975).

Discretionary parole systems establish a time frame within which an inmate may be eligible for, but not assured of, parole. The time frames vary across jurisdictions and are defined by statute. Under discretionary-type parole systems, paroling authorities are established for the purpose of making determinations about an inmate's readiness for conditional release from jail or prison. In general, factors considered by paroling authorities prior to making a decision to grant or deny parole include the inmate's institutional adjustment, social and psychological history, and the propitiousness of a proposed community plan should parole be granted (e.g., supportive living arrangements, employment and/or educational opportunities, availability of treatment and social services, etc; Caplan, 2007).

Historically, paroling authorities have had broad authority to use discretion in their decision making related to the release, revocation, and treatment needs of individual offenders. The presumption has been that professional discretion serves the interest of public safety by permitting decision makers to carefully assess and respond to the totality of psychological, social, and economic circumstances of individual offenders. However, disparity of discretionary parole decisions across U.S. jurisdictions (Gottfredson, 1979a, 1979b; Mann, 1993; Sieh, 2005), lack of political support for prisoner rehabilitation (E. K. Brown, 2006; Dickey & Smith, 1998; Garland, 2001), and public perceptions that the criminal justice system was too lenient (Flanagan, 1996; Flanagan & Longmire, 1996; Green & Doble, 2000) have led to an ongoing chorus of calls for abolition of discretionary parole release (Burke, 1995).

Mandatory Versus Discretionary Parole

Mandatory parole release obviates the need for a human review and discretionary decision making by a paroling authority. Moreover, mandatory parole release does not account for an inmate's readiness for parole. Rather, mandatory release systems require the conditional release of an inmate on a particular date that is statutorily defined by dint of the initial sentence imposed by the court. If by happenstance an inmate is prepared for parole at the time of a statutorily defined release date, mandatory release mechanisms are consonant with the public interest. However, mandatory release requires that prison exit doors mindlessly open for inmates who are unprepared for reentry into society; when this happens, public safety is jeopardized. Does mandatory parole release serve the public and inmates better than the discretionary release decisions that have characterized parole in the past? The answer to this question is unknown.

At first blush, mandatory release appears more equitable than discretionary release because it assures that all inmates with similar criminal histories who are sentenced for the same crime(s) will incur similar mandatory release dates thereby avoiding potential abuses of discretionary power by paroling authorities. On further consideration, however, two potential inequities associated with mandatory release emerge.

First, mandatory release is indifferent to inmate interest and involvement in preparation for life after jail or prison. Mandatory release is a deterrent to inmate participation in programs that would increase the chances for postrelease success because incentives to earn early release are eliminated. Additionally, inequity inherent in mandatory release also bears on the insufficiency of rewards for behaviors allied with proactively preparing for life on the outside and disincentives for inmates who choose to while away the time, mired in antisocial thinking and attitudes. Second, the equitability claims of proponents of mandatory release presume justice and equity at the time of charging and plea bargaining. On average, 95% of criminal convictions are the result of a negotiated plea (Cohen & Reaves, 2006; Ross, 2006; Winterfield et al., 2006) meaning, by and large, that criminals are sentenced for a criminal charge that does not accurately reflect actual criminal behavior. In the act of "making the deal," prosecutors are presumed to use the power of their office and their discretion equitably; however, the desultory nature of this presumption is well-documented (Baldus, Woodworth, & Young, 2002; Ball, 2006; Gerber, 1998; Ma, 2002; Stuntz, 1998).

It seems that recidivism rates for inmates released under discretionary decision making systems may be somewhat lower than rates for mandatory releasees and lower for offenders under either form of postrelease supervision than for offenders who are unsupervised after release (Rosenfeld, Wallman, & Fornango, 2005; Travis & Lawrence, 2002). However, these findings should be viewed very cautiously because of the methodological limitations of the studies that produced them (Bierie, 2006). What is unknown is whether or not the manipulation of the work experience, training, and credential requirements for members of paroling authorities would sharpen discretionary decision-making skills and produce more professional decisions, thus generating significant reductions in recidivism when compared with mandatory parole release.

The abolition of discretionary decision making solves the vexing problems associated with professional competence and the use of guidelines for parole release decision making; the problems remain with regard to revocation decisions, establishing release contingencies, and oversight of the policies and practices of field supervision officers at the behest of elected officials.

However, abolition of discretionary parole release leads policy makers astray with regard to other options that may in fact support the coveted goal of providing for cost-effective public safety programs. The tasks related to parole decisions require specialized professional competence in correctional treatment as well as a scopic understanding of disciplines such as psychology, sociology, and criminology. It is at least plausible that professionally competent discretionary decision making in parole would produce a better result than has been experienced under the rubric of mandatory release policies.

The Politics of Parole

Parole has been a controversial political topic during the past three decades. Notorious political events coupled with the shifting sands of political ideology from liberal to conservative and then back again have often driven changes in parole systems in America, their abolition, and even their reinstatement (Burke, 1995; Petersilia, 2003). Parole's inveterate political entanglements primarily derive from two sources: (a) reactions to heinous crimes committed by parolees and (b) the infusion of the reigning political ideology and/or personal preferences into the administration, policies, and practices of parole systems.

Because the administration of parole is often more political than professional, the concept of parole is continually redefined in a somewhat shortsighted and thoughtless fashion through runaway political responses to certain events and prevailing, be they simplistic, personal, and/or public, attitudes about crime and punishment.

There are numerous examples of crimes committed by parolees that have caused parole systems to change radically, abruptly, and often counter to professionally acknowledged best practices. A recent example occurred in July 2007, when two Connecticut parolees committed a home invasion in an upper middle-class neighborhood, brutally murdered a mother and her two daughters, tied up the husband/father of the victims in the basement, and then set the house on fire in an apparent effort to cover their criminal tracks (United Press International, 2007). The political, not professional, reaction to this tragic crime was immediate and strong. The governor of Connecticut immediately stopped all paroles and formed a task force to examine current parole practices and to make recommendations for changes.

An editorial in the *Norwich Bulletin* (2007) endorsed legislative calls for changing the status of the state parole board from part-time to full-time, increasing the number of parole officers, and expanding prison capacity even though there is no reason to believe that a full-time paroling authority and

more parole officers and prison beds would have prevented or lessened the probability of occurrence of the brutal triple homicide and arson. As well, politicians and influential Connecticut citizens called for the expanded use of global positioning systems to monitor parolees (Falcone, 2007) and the requirement that inmates serve at least 85% of their sentences (Meyer & Meyer, 2007)—two strategies that assured increased costs but not necessarily a reduction of criminal offenses (Blumstein, 1998; T. M. L. Brown, McCabe, & Wellford, 2007; Mair, 2006; Mauer, 1999).

A second example sheds light on the direct political link between paroling authority members and the politicians who appoint them and how this linkage ignobly permeates the administration of parole. During the 2008 presidential primary election campaigns, the politics of parole took center stage in a negative manner and in a way that captures the very essence of the ideological politics of parole.

At the height of the Iowa caucus primary elections, former Arkansas governor and Republican candidate for president Mike Huckabee was blamed by some for the 1997 parole of a rapist who, once paroled, raped and killed a woman in Missouri ("Web Special," 2007). In defending himself against what he characterized as politically derived criticism, Huckabee explained that the deeds of two previous governors (one being former president Clinton—husband of Democratic presidential candidate rival Senator Hillary Clinton) placed him in a difficult position with regard to the early release of a convicted rapist. Huckabee stated that his predecessors commuted (i.e., reduced) the sentence for the rapist's first conviction thereby making him eligible for parole under Huckabee's watch. Huckabee denied involvement in the parole release decision of the rapist and stated that "governors don't parole people in Arkansas." In 1996, the parole board had voted not to grant parole to the convicted rapist. To muddy the political waters further, it was reported that the then governor Huckabee met with the parole board about the unduly harsh sentence that the convicted rapist had received. Subsequent to the meeting with the governor, the board's chair, who was appointed by a previous governor and later reappointed by Huckabee, arranged for a reconsideration of parole release hearing; the hearing occurred on January 16, 1997, and parole was granted (Milligan, 2007). One of the members of the parole board who was involved in the 1997 reconsideration of parole release hearing for the convicted rapist came forward and declared that he felt pressure from the then governor Huckabee to grant parole. Later, at least two additional board members added to the chorus of claims that they too were pressured into making a decision that they might otherwise not have made (United Press International, 2007).

The comments of one of the parole board members involved in the allegations of gubernatorial influence over the parole of the rapist is illustrative of a political skeleton in parole's professional closet: "We are not talking rocket science here. The board jobs are known to some degree [to be] political patronage, and they're not the most difficult jobs for the pay ("Web Special," 2007)."

The *Arkansas Times* ("Web Special," 2007) reported that in 2002, members of the Board of Pardons and Parole earned \$70,000 a year. The median income in Arkansas in 1999 was \$32,182 (U.S. Census Bureau, 2005).

Method

This descriptive study was conducted between October 2000 and April 2001.¹ Fifty U.S. state governments and the District of Columbia's Web sites were reviewed to determine the current state of parole in each jurisdiction. After determining whether a particular jurisdiction used parole as a form of release, revocation, and/or supervised postrelease, information about paroling authority structure, composition, and membership was obtained through LexisNexis's Legal Search function, Internet searches, and government and paroling authority Web sites. Telephone interviews were conducted with paroling authority chairs, or their designated representatives, to supplement and clarify the data collected from the Internet and the legal research.

Data were collected in an attempt to answer the following questions: (a) Is there a paroling authority in existence? (b) Is there postrelease supervision (e.g., parole officers, community corrections officers, or probation officers)? (c) Are there term lengths of members of paroling authorities? If yes, what are they? (d) Do members of paroling authorities serve on a full-time or part-time basis? (e) How many members serve on the paroling authority? (f) Are the members of paroling authorities compensated either through salary and/or expense reimbursement? If yes, what is the amount? (g) How are members of paroling authorities recruited and selected? (h) How is the chair of the paroling authority selected? (i) Are there educational requirements for parole authority membership? If yes, what are they? (j) Are there work experience requirements for parole authority membership? If yes, what are they? (k) Are there training requirements for parole authority membership? If yes, how many hours annually are required and what are they? (l) To whom does the paroling authority chair report? (m) Is parole a function of the executive or judicial branch of government?

Two states, Maine and Minnesota, did not have paroling authorities at the time of data collection. Therefore, results are based on data from 48 states and the District of Columbia.

Results

Paroling Authority Composition

Forty-eight states and the District of Columbia each had a paroling authority as well as postrelease supervision by community corrections officers, parole officers, or probation officers. The average number of members serving on paroling authorities was 7 ($SD = 3.7$); the range was 3 to 19, and the median was 6. As shown in Table 1, paroling authorities in 17 states comprised all, or a majority of, part-time members. Arkansas and Kentucky paroling authorities comprised a majority of full-time members, with only one or two part-time members, respectively. Utah had equal full- and part-time membership on its paroling authority. In 28 states and the District of Columbia, paroling authorities were composed solely of full-time members.

Paroling authorities in 42 states and the District of Columbia reported that they did no public recruitment for new members. Four states, Florida, Hawaii, Kentucky, and Utah, reported that they advertised membership vacancies on paroling authorities in local newspapers and invited applications.

Membership to the majority of state paroling authorities ($N = 43$) was made by direct gubernatorial appointment (see Table 1). The president of the United States appointed members to the U.S. Parole Commission: the authority with jurisdiction over federally sentenced inmates and the District of Columbia. In Michigan, appointments to paroling authorities were made by the director of corrections, a gubernatorial appointee. In Ohio, the governor appointed one member; the remaining members were appointed by the governor's appointee to the position of director of corrections. In Wisconsin, the governor appointed the chair, who had sole authority to select additional members. South Dakota paroling authority members were appointed equally by the governor, attorney general, and state supreme court. Oklahoma paroling authority members were appointed by the governor, state criminal court of appeals, and state supreme court.

Appointments to the position of paroling authority chair varied across jurisdictions. In 37 states, chairs were appointed by the governor; the president appointed the chair of the U.S. Parole Commission. In Ohio and Michigan,

Table 1. Parole Board Structure and Membership Requirements

State	No. of Members	Term Length (Years)	Majority FT/PT Board	Appointment Method for Members	Compensation	Public Recruiting Method	Any Education Requirement (Member)	Any Work Requirement (Member)	In-Service Training	Government Branch
AL	3	6	FT	Governor	Salary	None	No	No	No	Executive
AK	5	5	PT	Governor	Per diem	None	No	Yes	No	Executive
AZ	5	5	FT	Governor	Salary	None	No	Yes	No	Executive
AR	7	7	FT	Governor	Salary	None	No	No	No	Executive
CA	9	4	FT	Governor	Salary	None	No	No	Yes	Executive
CO	7	3	FT	Governor	Salary	None	Yes	Yes	No	Judicial
CT	16	4	PT	Governor	Per diem	None	Yes	Yes	Yes	Executive
DE	5	4	PT	Governor	Salary	None	No	No	No	Executive
DC	5	6	FT	President	Salary	None	No	No	No	Executive
FL	3	6	FT	Governor	Salary	Newspaper	No	No	No	Executive
GA	5	7	FT	Governor	Salary	None	No	No	No	Executive
HI	3	4	PT	Governor	Salary	Newspaper	No	No	No	Executive
ID	5	3	PT	Governor	Salary	None	No	Yes	No	Judicial
IL	15	6	FT	Governor	Salary	None	No	Yes	No	Executive
IN	5	4	FT	Governor	Salary	None	No	Yes	No	Executive
IA	5	4	PT	Governor	Per diem	None	Yes	Yes	No	Executive
KS	4	4	FT	Governor	Salary	None	No	No	No	Executive
KY	9	4	FT	Governor	Salary	Newspaper	No	No	No	Judicial
LA	7	4	FT	Governor	Salary	None	No	No	Yes	Executive
ME	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
MD	8	6	FT	Governor	Salary	None	Yes	MD	MD	Executive
MA	7	5	FT	Governor	Salary	None	Yes	Yes	MD	Executive
MI	10	4	FT	DOC	Salary	None	No	No	Yes	Executive

(continued)

Table I. (continued)

State	No. of Members	Term Length (Years)	Majority FT/PT Board	Appointment Method for Members	Compensation	Public Recruiting Method	Any Education Requirement (Member)	Any Work Requirement (Member)	In-Service Training	Government Branch
MN	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
MS	5	MD	FT	Governor	Salary	None	Yes	Yes	No	Executive
MO	7	6	FT	Governor	Salary	None	Yes	Yes	No	Executive
MT	4	4	PT	Governor	None	None	Yes	Yes	No	Executive
NE	5	6	FT	Governor	Salary	None	No	Yes	Yes	Executive
NV	7	4	FT	Governor	Salary	None	Yes	Yes	Yes	Executive
NH	7	5	PT	Governor	Per diem	None	No	No	No	Executive
NJ	12	6	FT	Governor	Salary	None	No	Yes	No	Executive
NM	9	MD	PT	Governor	Per diem	None	No	No	No	Executive
NY	19	6	FT	Governor	Salary	None	Yes	Yes	Yes	Executive
NC	3	4	FT	Governor	Salary	None	No	No	No	Executive
ND	6	3	PT	Governor	Per diem	None	No	No	No	Executive
OH	12	Indefinite	FT	Mixed ^a	Salary	None	Yes	Yes	Yes	Executive
OK	5	4	PT	Mixed ^b	Salary	None	No	No	Yes	Judicial
OR	3	4	FT	Governor	Salary	None	No	No	No	Executive
PA	9	6	FT	Governor	Salary	None	Yes	Yes	No	Executive
RI	7	3	PT	Governor	Salary	None	Yes	Yes	No	Executive
SC	7	6	PT	Governor	Per diem	None	No	No	No	Executive
SD	6	4	PT	Mixed ^c	Per diem	None	No	Yes	No	Executive
TN	7	6	FT	Governor	Salary	None	Yes	Yes	No	Executive
TX	18	6	FT	Governor	Salary	MD	MD	MD	MD	Executive
UT	10	5	Mixed	Governor	Salary	Newspaper	No	No	Yes	Executive
VT	5	3	PT	Governor	Salary	None	No	No	No	Executive

(continued)

Table 1. (continued)

State	No. of Members	Term Length (Years)	Majority FT/PT Board	Appointment Method for Members	Compensation	Public Recruiting Method	Any Education Requirement (Member)	Any Work Requirement (Member)	In-Service Training	Government Branch
VA	5	4	FT	Governor	Salary	MD	No	No	No	Executive
WA	3	5	PT	Governor	Salary	None	No	No	No	Executive
WV	5	5	FT	Governor	Salary	None	Yes	Yes	No	Executive
WI	6	Permanent	FT	Chairperson	Salary	None	No	No	No	Executive
WY	7	6	PT	Governor	Salary	None	No	No	No	Executive

Note: FT = full-time; PT = part-time; MD = missing data; NA = not applicable; DOC = director of corrections.

a. Elected by the director of corrections and one by the governor.

b. Divided among governor, supreme court, and criminal court of appeals.

c. Divided among governor, attorney general, and supreme court.

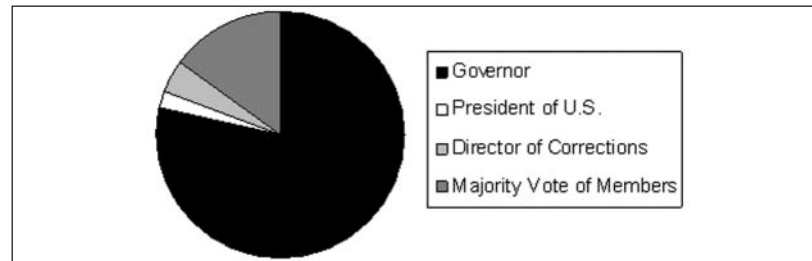


Figure 1. Breakdown of paroling authority chair appointment method
 Note: Excludes Maine and Minnesota (not applicable) and Idaho and Texas (missing data).

Table 2. Length of Terms for Parole Board Members

Term Length (Years)	No. of States
3	5
4	17
5	7
6	14
7	2
Indefinite	1
Permanent	1
NA	2

Note: NA = not applicable (Maine and Minnesota).

the chair was selected by the director of corrections. Georgia, Montana, Oklahoma, South Dakota, South Carolina, Pennsylvania, and Wyoming elected chairs of paroling authorities by majority vote. Data were missing for Idaho and Texas (see Figure 1).

Term lengths for paroling authority members averaged 4.8 years ($SD = 1.1$) with a range from 3 to 7 years.² A plurality of states ($N = 17$) had members serve 4-year terms of office (see Table 2). Ohio and Wisconsin board members served indefinite and permanent terms, respectively.

Paroling authorities with all or a majority of full-time membership received salary compensation ranging from slightly less than \$40,000 to more than \$100,000.³ Paroling authorities consisting of all or a majority of part-time members received per diem compensation ranging from \$50 to upwards of \$150. All states and the District of Columbia reimbursed members for

Table 3. Educational Requirements for Parole Board Members

Educational Requirements	No. of States
None	31
Some, but unspecified	5 (CT, IA, MO, MD, MT)
Bachelors degree	8 (CO, IN, MA, NV, NY, PA, RI, WV)
Bachelors degree or high school diploma and work experience	3 (OH, TN, MS)
Requirements are only for the chairperson	1 (DE)

Note: Results exclude Maine and Minnesota (not applicable) and Texas (missing data).

expenses. In Montana, paroling authority membership was voluntary; members received expense reimbursement only.

Educational Experience, Work Experience, and Training Requirements

Eleven states had clearly specified educational requirements for members of paroling authorities, as shown in Table 3. Five states had some general and unspecified educational requirements.⁴ Colorado, Indiana, Massachusetts, Nevada, New York, Pennsylvania, Rhode Island, and West Virginia specifically required at least a bachelor's degree. Ohio and Tennessee required a bachelor's degree or a high school diploma coupled with some work experience. Delaware had general and unspecified educational requirements for the chair and no educational requirements for other members.

Twenty-three states required at least some work experience for members of paroling authorities. Delaware required the chairperson to have some experience in probation, parole, and/or other related areas of corrections and the remaining members to demonstrate an interest in correctional treatment or social welfare. As shown in Table 4, 15 states mandated that work experience be in the criminal justice system or related social services; in Ohio and Tennessee, this work requirement could be substituted with a college degree. Work experience requirements data were missing for Texas and Maryland.

With regard to in-service training for members of paroling authorities, most states ($N = 35$) and the District of Columbia had no requirements. California, Connecticut, Louisiana, Michigan, Nebraska, Nevada, New York, Ohio, Oklahoma, and Utah had some mandatory in-service training requirements; however, the specifics of this training, such as content, frequency, and duration were reported to be unknown.⁵ In-service training data were missing for Maryland, Massachusetts, and Texas.

Table 4. Work Requirements for Parole Board Members

Work Experience Requirement	No. of States
None	23
Unspecified work experience	5 (MS, MO, NV, AK, AZ)
Experience in criminal justice system or social sciences	13 (NE, NJ, NY, ND, PA, RI, WV, CO, CT, ID, IL, IN, MA)
Criminal justice system experience may be substituted with college degree	2 (OH, TN)
Requirements are only for the chairperson	1 (DE)
Other requirements	3 (SD, MT, IA)

Note: Results exclude Maine and Minnesota (not applicable) and Maryland and Texas (missing data).

Paroling Authority Organizational Structure

Forty-five states and the District of Columbia house their paroling authorities within the executive branch of government. In four states, paroling authorities were placed within the judicial branch.

Chairs of 36 state paroling authorities reported to the Governor. The chair of the U.S. Parole Commission reported to the U.S. Attorney General. In eight states, the chair reported to a politically appointed designee of the Governor: Ohio and Michigan, to the director of corrections; Virginia, to the Secretary of Public Safety; West Virginia, to the Secretary of Military Affairs and Public Safety; California, to the Director of the Youth and Adult Correctional Agency; Hawaii, to the Director of Public Safety; Kentucky, to the Secretary of the Justice Cabinet; and Massachusetts, to the Executive Office of Public Safety. Data were missing for parole boards in Alaska, Idaho, Maryland, and Texas.

Discussion

Paroling authorities are faced with the daunting tasks of accessing, understanding, and integrating a complex body of knowledge that derives from such diverse disciplines as psychology, sociology, criminology, public administration, public health, and political science. Notwithstanding the complex nature of the tasks associated with parole decision making, the data produced by this study reveal that there has been little consistency and minimal attention within and across jurisdictions relative to the work experience, education requirements, and in-service training for members of paroling authorities. Given the

indiscriminate nature of educational and work experience requirements, in-service training should be of paramount concern. However, this study calls attention to the turbid nature of in-service training for members of paroling authorities.

The majority of parole systems have eschewed requisite work, education, and training requirements in favor of vague or nonexistent standards for recruitment and hiring that are more political than professional in nature. A small minority of parole systems have appointed at least some paroling authority members with seemingly relevant credentials and work experience (Reentry Policy Council, 2005). One governor appointed a psychologist to a paroling authority. This appointment represented the first behavioral scientist appointed to that state's seven-member board in more than 16 years. The governor making the appointment noted the importance of having a psychologist participate in decisions related to risk prediction; however, the appointment was criticized by victims groups and the law enforcement community (Maguire, 2007).

The data also reveal that compensation for members of paroling authorities is substantial, yet recruitment for paroling authority members is generally a closed political process. Only 4 jurisdictions engaged in public advertising for paroling authority members; 42 jurisdictions appointed paroling authority members through political processes without public recruitment efforts. Given the prestige of and monetary compensation for serving on a paroling authority, it is probable that an open recruitment process would produce a substantial pool of highly qualified applicants.

One of the central tasks of paroling authorities is to render discretionary decisions regarding parole release, revocation, and offender release contingencies. Discretionary decision making based on professional competence is an important component of several highly regarded professions and business enterprises (e.g., jurisprudence, aviation, medicine, engineering, investment finance, etc.). Although it is true that professional and business principles establish parameters for the use of professional judgment, the value of judgments made by qualified individuals in a particular field cannot be overstated. Conversely, discretionary decision making in the hands of incompetent and uninformed individuals can do immeasurable harm. It is prudent to guide the expert use of discretion with well-established evidence-based professional principles related to desired outcomes. It is folly to expect even well-developed guidelines for the use of discretion to substitute for professional competence. Structured decision making within discretionary parole systems is developmentally immature or nonexistent in this regard.

Paroling authorities are expected to use their discretionary decision-making authority to make important public safety and justice decisions. However, it is likely difficult to make proper use of discretion within parole settings when the panoply of qualifications for paroling authority members has ranged from being a baseball or football icon (Columbia University Athletics 2007; Nevada Advisory Committee, 1976), a fallen or active politician with no relevant experience or education ("Appointments," 1957; Lalonde, 2004), a landlord erstwhile department store loss prevention manager (Whitaker, 2006), or to any number of individuals possessing a variety of backgrounds not relevant to tasks associated with parole decision making and administration and that are far too numerous to mention here.

In addition to its discretionary decision-making functions, paroling authority members frequently have significant input into the development of statutes, administrative codes, and policies governing day-to-day parole practices. Failure to give due diligence to the qualifications of individuals charged with the administration of correctional system components like parole can often lead to the development of policies and practices that may seem to derive from common sense but that in reality are more akin to professional quackery (Gendreau et al., 2002).

It makes little sense to tinker with legislation governing parole, entertain its abolition, or market it under the latest fashionable *nom de plume*—reentry—if in the first instance, the administration of parole is unwittingly placed in the hands of noncredentialed individuals rather than competent professionals.

Conclusions

Future studies should examine the relationships between the work experience, education, and training requirements of paroling authority members on parolee recidivism and equitable parole decision making. As well, comparisons of recidivism rates for mandatory parole systems, discretionary parole systems, and no postrelease supervision systems would help clarify appropriate policy directions.

If it is found that honing the work experience, education, and training requirements of paroling authority members has no effect on parolee recidivism and equitable parole decision making, then following in the footsteps of parole's history in America poses no significant public safety hazard or breach of the justice ideals that underpin American concern for fairness under the law. If, however, it is revealed that there is a foundational crack in the house of parole, then leadership within parole will need to become more professionally than politically driven.

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Notes

1. The data were collected in 2000-2001. Based on our review of the literature up to 2006-2007, it is reasonable to conclude that the profile of paroling authorities presented herein has not substantially changed.
2. Excludes Maine and Minnesota (not applicable) and Mississippi, Ohio, and New Mexico (missing data).
3. Salary information is based on limited information available at the time of the study. Information obtained from telephone inquiries was limited; individuals interviewed seemed reluctant to discuss salaries. The salary estimates presented are conservative estimates based on available public information, newspaper accounts, an Association of Paroling Authorities International survey (1999b), and the personal knowledge of the first author.
4. Educational requirements for these five states were not specified. Follow-up telephone interviews with paroling authority chairs or their designated representatives did not clarify the matter further. The respondents to the telephone interviews stated that there were educational requirements but that they did not know exactly what they were.
5. Follow-up telephone interviews with paroling authority chairs or their designated representatives did not clarify issues related to in-service training. The respondents to the telephone interviews stated that there were in-service training requirements but that they could not shed light on training content, frequency, or duration of training.

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Bios

Mario A. Paparozzi, PhD, is full professor and chair of the Department of Sociology and Criminal Justice at the University of North Carolina at Pembroke.

Joel M. Caplan, PhD, is assistant professor of criminal justice at Rutgers University School of Criminal Justice.