

To: Commission to Examine Reestablishing Parole
From: Legislative Staff
Date: November 16, 2022
Re: Fourth Meeting - Discussion of Findings and Recommendations

Attached to this memo are a number of documents designed to facilitate the commission's discussion. The first is a compilation of preliminary findings, recommendations, and considerations submitted by commission members. The submissions in this document are separated by category but have not been edited. The second document is a compilation of all the responses we received. Third is the establishing legislation for this commission. Fourth is an example of how recommendations can be represented in a report.

Document 1: Preliminary Findings, Recommendations, and Considerations

The categories in the document of preliminary findings, recommendations, and considerations to help the commission work through the subject matter in an organized fashion. These are not the only topics that could be discussed, but an attempt to facilitate discussion. Many recommendations touch on more than one category, and were placed in the one that seemed the most directly relevant. The categories provided are as follows:

- **Type of Parole System: Presumptive, Discretionary, or Other**
- **Changes or Additions to Current Programs**
- **When/how Parole is Applied and Eligibility Calculated**
- **Process for Hearings, Denials, Re-Hearings, and Violations**
- **Requirements Related to Supervision**
- **Composition and Location of Parole Board**
- **Services for Convicted Persons**
- **Services and Protections for Victims**
- **Restorative Justice Processes**
- **Funding and Resources**
- **Miscellaneous and Additional Considerations**

Considerations for Compiling the Final Findings and Recommendations

There are a number of ways a study commission can represent findings and recommendations in its final report. Findings and recommendations can be made into separate sections or integrated as one. Typically, only findings and recommendations that receive a majority vote of the commission are represented in the body of the report. However, some study commissions have chosen to include a summary of all findings and recommendations discussed as an appendix to the report. Attached to this memo is an example of findings and recommendations from the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions, which serves as a helpful example of a report dealing with complex and intertwined subject matter.

Directive of Establishing Legislation

Sec. 5. Duties. Resolved: That the commission shall examine parole as it currently operates in this State and in other states, with a specific focus on the parole law in Colorado, the benefits and drawbacks of parole, different models of parole, how parole fits in with the overall framework of the Maine Criminal Code, the effect of parole on parolees, the costs and savings of instituting parole and the elements of a plan to implement parole.

A copy of LD 842 is attached.

General Report Outline

I. Introduction:

Describes the commission, the establishing legislation, and provides top-line summary of findings and recommendations.

II. Background Information:

History of parole in Maine, establishment of criminal code, summary of current system in Maine.

III. Commission Process:

Summary of meetings, presentations, and activities of commission.

IV. Findings and Recommendations:

Summary of findings, recommendations, and relevant contextual information from the discussions and votes of the commission.

V. Conclusion:

General summary of report.

VI. Appendices:

Will include all materials referenced in the report.