

## Testimony in support of LD-178

### Act to Support Reentry and Reintegration into the Community

Presented by Jeffrey Evangelos, Member of the Parole Study Commission. Presented to the Criminal Justice and Public Safety Committee on Monday, March 13, 2023.

Good morning Senator Beebe-Center, Representative Salisbury, and other distinguished members of the Criminal Justice and Public Safety Committee. I am Jeffrey Evangelos from Friendship and I most recently served as a member of the Parole Study Commission this past autumn.

Some of you may be unaware that parole in Maine was abolished in 1976. It was replaced with determinate sentencing and the discretionary powers of the Chief Executive to grant Executive Clemency. Maine was the first state in the Union to abolish parole; 15 states followed suit in the 1970s. 34 states still use a Parole Board process, including all other New England States and New York State. This bill will make Maine the 35th State to adopt Parole.

What was the result of the adoption of the May 1976 Criminal Code which abolished Parole? The number of incarcerated men and women...and teens, has shot up 400%. These people include those with serious mental illness and drug addiction illnesses. In a Feb 13, 2020, New York Times article entitled "It Didn't Work", states are now beginning to re-examine the decision to abolish Parole. "We thought we were fighting crime and it didn't work" said Virginia State Senator David Marsden. "People are now more likely to believe that people deserve a second chance." And that is what this bill is about, a second chance. As the saying goes, 'It's not just the mistake you made, it's what you do afterwards that counts.' While Maine's prison system conducts remarkable education and other programming, in truth, without Parole, the system also kills hope.

Parole demands a process of accountability and redemption as the part of the incarcerated individuals petition before the Parole Board. Victims of crime are part of the process and their voices are heard in front of the Parole Board. Some victims will understandably fight the Parole process, while others around the country encounter the petitioner and through restorative justice, enable forgiveness. These are difficult discussions, and the Parole Board takes all these matters into consideration when evaluating a petitioner.

But we must come to terms with an obvious fact. Are we running the Department of Incarceration and Punishment or are we operating a real Corrections and

improvement system, a system that allows a person to reenter society as a productive individual?

On that score, Maine stands dead last in the country. The University of Minnesota Robina Institute of Justice rated Maine as the harshest sentencing state in the country. Combined with no Parole, the Prison Policy Initiative gave Maine an F- for its prison release system. In addition, the Pew Research Trust ranked Maine 49th out of 50 states for its prison release system, with a whopping 63.4% of its prison residents being released unprepared for life on the outside without supervision or a support system. This is the primary factor in Maine's high recidivism rate.

Parole changes that dynamic. A successful petitioner serves out the remainder of their prison sentence under the direct supervision of the probation and parole department. A serious violation of the terms of your prison release lands you back in prison to serve out the remainder of your sentence. And let's be clear about something, according to the Maine Supreme ruling, *Gilbert vs State of Maine*, February 28<sup>th</sup>, 1986, Parole was ruled constitutional. Parole is not a Pardon, it's a continuation of your sentence under the supervision of the Dept of Corrections. If your petition is denied, you must wait up to 30 months to reapply.

After I filed the parole bill two years ago, I received about 100 letters from our prisons, people demonstrating redemption and accountability, asking for forgiveness and a second chance. These are difficult letters to read. Think our current system hasn't failed? A letter I received from the Windham Women's Prison said this: "The women here have mostly pristine behavior records; Attend many classes, hold many jobs, and positions of privilege. The staff look to these residents for guidance and information. We are trusted and respected. All of these women had lives, families, careers, college educations. Most had never been in trouble before this one-time event in their lives and feel deep remorse. Why should they not be given a second chance at life? For me however, I ask you to bring back the death penalty. My sentence is more cruel than death. What benefits society to keep me alive?"

I hope you will allow the Parole process to go forward with an ought to pass. Thank you. I'll be happy to answer your questions.