



For Informational Purposes

Parole Suitability Hearings

Duties of the Board of Parole Hearings

- The Board of Parole Hearings (Board) is responsible for conducting parole hearings to determine whether CDCR inmates sentenced to life with the possibility of parole no longer pose an unreasonable risk to public safety and therefore can return to the community once they have served their minimum term. The Board also conducts parole hearings for youthful offenders [Senate Bill 260 (Chapter 312, Statutes of 2013) and Senate Bill 261 (Chapter 471, Statutes of 2015)], and inmates who are eligible for elderly parole, once they have served a minimum of 15 to 25 years, depending on their commitment offense.
- In 2015, the Board held 5,300 parole suitability hearings and granted parole to 906 inmates.
- The Stanford Criminal Justice Center found that less than one percent of life-term inmates committed new felonies after being released.

Commissioners and Deputy Commissioners

- Parole hearings are conducted by the Board's 12 Commissioners and 39 Deputy Commissioners;
 - Commissioners are appointed by the Governor and confirmed by the Senate to serve three-year terms;
 - Deputy Commissioners are administrative law judges. They are experienced, licensed attorneys.
- The Commissioners' professional backgrounds include law enforcement, corrections, parole, the military and the legal profession.
- Commissioners receive extensive training, including at least eight weeks of legal and practical training by the Board's attorneys and staff, as well as the National Judicial College. They also receive monthly training at the Board's public meetings and an additional two weeks of continuing education annually.

Parole Hearing Process

- Before a life-term inmate becomes eligible for a parole hearing, the inmate must serve a statutory period of incarceration. To be granted parole, the inmate must demonstrate that he or she no longer poses an unreasonable risk to public safety.

- Parole hearings are conducted in-person with the inmate at the prison where the inmate is housed, by a hearing panel comprised of one or two Commissioners and a Deputy Commissioner.
- Hearing participants include the inmate and the inmate's attorney, and can also include a representative from the District Attorney's office in the county where the crime occurred, the victim, the victim's family, as well as victim support persons and representatives. The District Attorney's office, the victim, and the victim's family receive a notice of the hearing if they register for notices.
- Before the hearing starts, the panel carefully reviews all of the information available about the inmate which includes details about the crime compiled by law enforcement, case information from trial and appellate court documents, rap sheets and criminal history information, forensic risk assessments by expert clinical psychologists, information about the inmate's conduct and participation in self-help programs, the inmate's employment and housing plan upon release, letters of support and opposition, and victim impact statements.
- In determining whether the inmate should be released, the Board considers all relevant and reliable information about the inmate's current level of risk, with a focus on factors including:
 - The inmate's commitment offense and criminal history, social history, psychological factors, medical conditions, institutional behavior, and rehabilitative efforts in prison.
 - Input from the District Attorney's office, victim, victim's family, inmate, inmate's family and friends, and the public.
- Any person may submit information concerning any inmate before or after a hearing for review and consideration by the Board.
- The hearing panel may grant or deny parole and every hearing decision must be approved by at least two panel members.
- Hearings resulting in a tie vote are referred to the full board for resolution;
- If an inmate is denied parole, the hearing panel will determine the length of the denial, which can be three, five, seven, ten or 15 years.
- All decisions are proposed and become final only after a review period by the Board's attorneys.

Comprehensive Risk Assessments

- Forensic clinical psychologists provide written evaluations to the Board after interviewing the inmate and reviewing the inmate's central file, criminal history, social history, mental health records, and medical records.
- They apply evidence-based risk assessment tools and provide a meaningful overview of the inmate's history as well as an expert opinion about the inmate's potential risk for future violence.
- Every comprehensive risk assessment is also reviewed by a senior psychologist for quality and accuracy before it is finalized.

Decision Review and Release

- All parole suitability hearing decisions can be reviewed by the Board's legal office for up to 120 days after the hearing.
- If the Board's Chief Counsel identifies an error in the decision, that person may refer the decision to the full board for review and a vote at a public meeting.
- Grants of parole for life-term inmates are reviewed by the Governor, who may refer the Board's decision to the full board for another review, affirm the decision, or take no action. For life-term inmates convicted of murder, the Governor may also reverse or modify the Board's decision.
- If an inmate's grant of parole is upheld, normal pre-release are followed and law enforcement agencies and victims are notified of the inmate's release as required by statute. (Normal pre-release processes include but are not limited to: a comprehensive audit of sentencing documents and verification of release dates, submission of any applicable offender registrations required by the Department of Justice; review of any pending holds, warrants, or detainers on file from Immigration and Customs Enforcement or other law enforcement agencies; preparation and service of parole conditions on the inmate.)
- Those released on parole are subject to standard conditions of parole as well as individualized special conditions of parole imposed by the Board and their assigned parole agents. Many are required to participate in at least six months of transitional housing and programming in the community. Others are housed in sober living environments where they are required to participate in additional rehabilitative programming and can obtain a variety of services designed to ensure their successful transition on to parole.