

Examining the debates and arguments of parole criminology essay



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The most debated argument involving parole is not whether or not it is needed, but rather how should it be instituted. Parole is not a sentence; rather, it is the extension of a prison into the community and under the supervision of the parole authority, which is a branch of the prison system. Prisoners are eligible for parole after they have served a minimum number of years of their sentence as dictated by state statutes and the discretion of the judge. A parole board reviews their crimes, their criminal histories, and their behaviors in prison to decide whether the prisoners can be supervised safely in the community. After serving only a portion of their sentence, prisoners can also be released automatically by the prison administration for respectful behavior, which involves observing prison rules. In a standard formula, prisoners are given 1 day off of the sentence for every day of ethical behavior. The conditions of parole supervision are set by the releasing body and are similar to the mandatory and special conditions of probation supervision.

History of the Creation of Social Agency

The creation of parole can be connected to the work of several individuals who managed prisons; it involved Brockway Zebulon in the year 1867, Alexander Maconochie in the year 1840 and Walter Crofton in the year 1854, the above mentioned contributed to the introduction of parole system in the prison system. (Criminal Law Bolg) Parole was introduced in the United States by Brockway Zebulon in the year 1876 as a way to cut jail overcrowding and in unison as a way to rehabilitate prisoners by encouraging them to gain their freedom from prison through good behavior. The parole of federal prisoners began after enactment of legislation on June

25, 1910. There were three federal penitentiaries and parole was granted by a parole board at each

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institution. The membership of each parole board consisted of the warden of the institution, the physician of the institution, and the Superintendent of Prisons of the Department of Justice in Washington, D. C. (<http://www.justice.gov/uspc/history.htm>) By May 13, 1930, a single Board of Parole in Washington, D. C. was established (Chase, 2000).

The provision of services to victims by parole officers began in the 1970s on the heels of the Victims' Rights Movement, which propelled victims' needs into the public and juridical consciousness and underscored the importance of treating crime victims with compassion and sensitivity at every step in the criminal justice process. In many states, parole officers are responsible for providing victims with a copy of the Victims' Bill of Rights, which have been passed throughout the country, and with information about the progress of their case through the court system, as well as the court's expectation regarding their obligation to participate in the proceedings.

In addition, parole officers facilitate victim-offender reconciliation, mediation, and dialog programs, which are critical in the achievement of victim healing and offender rehabilitation. Such programs can be therapeutic to both offenders and victims. Parole officers can educate victims about sentencing practices and the nature of parole, which helps them feel more involved in their cases and more informed about outcomes at each stage in the parole process. Finally, parole officers can refer victims for services to treat their

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emotional injuries and, adjust more effectively in the aftermath of serious criminal victimization.

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Mission statement of the Parole System

Mission

To serve, challenge and empower our members and constituents by educating, communicating and training; advocating and influencing; acting as a resource and conduit for information, ideas and support; developing standards and models; and collaborating with other disciplines.

(http://www.appa-net.org/eweb/DynamicPage.aspx?WebCode=IA_Introduction)

2. Vision

We see a fair, just and safe society where community partnerships are restoring hope by embracing a balance of prevention, intervention and advocacy.

(http://www.appa-net.org/eweb/DynamicPage.aspx?WebCode=IA_Introduction)

Financial reports

Last year The Sacramento Bee reported that California Gov. Arnold Schwarzenegger was looking to save money by cutting the corrections

budget, perhaps by releasing as many as a third of the inmates in California prisons because they're non-violent and no danger to anyone.

The problem is, when a plan like this is being proposed as a budget-cutting measure instead of a "good public policy" measure the apprehension is that it may go wrong. Speeding up the release of many/most/all non-violent drug offenders may be a good alternative to the budget crisis although, releasing them all at once is not a good plan, and presuming it will magically fix our budget is unwise. Society has placed so many barriers preventing the reintegration of former inmates into "normal" life that it is hard to imagine a successful mass prison release without spending quite a bit of additional moneys on reintegration programs.

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Gov. Arnold Schwarzenegger's administration certainty, that California's inability to afford its \$5.3 billion prison and parole system, has explored changes that would all but eradicate parole conditions for nonviolent, non serious offenders and ultimately through early release and lighter penalties — dramatically shrinking the prison population.

The State of California continues to face a fiscal crisis. Both the Governor's Office and the Legislature are projecting more than a \$25 billion deficit. (CALIFORNIA FISCAL CRISIS INFORMATION) Gov. Jerry Brown's revised budget plan axes 5,500 positions from state government and kills or combines more than three dozen boards, commissions, offices and task forces, but the blade won't fall particularly heavily on Sacramento — if at all. Although two-thirds of the job losses would hit the Department of Corrections and Rehabilitation, <https://assignbuster.com/examining-the-debates-and-arguments-of-parole-criminology-essay/>

it has unfilled positions in its budget to absorb some cuts. About 200 to 300 at-risk jobs are positions in its Sacramento headquarters, Corrections Secretary Matt Cate said. (Ortiz J. (2011))

The overhaul to the parole system that has been created is non-revocable parole or unsupervised parole, so that specific parolee's considered low-risk won't be sent back to prison for technical violations. According to the article Dealing With California's Overcrowded Prisons. (26, May 2011) the big concern here is whether by - just by simply transferring people to county facilities, if they're just kicking the can down the road, or whether there can be fundamental structural changes in the way people are sentenced so that it, again, kind of slows or

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stops the revolving door. That's still very much a big question right now. (Dealing With California's Overcrowded Prisons. (26, May 2011))

Summary of their Work

In the preparation, of a considered release an investigational report is prepared, which helps at parole-board hearings, the victim(s) and their family members can testify regarding the impact of the crime on their lives. In the former, the victim impact statement can influence the BPT to choose leaving the inmate in prison over paroling as a more just sentence given the nature and extent of victim harm that was perpetrated in the case. In the latter, the parole board can factor victim harm into its decision and conclude in the prisoner's initial release.

When the Board of Prison Terms puts an offender under supervision in the community, the effort and task of managing that individual case shifts from institutional corrections to a parole agent. Therefore, board members decision is based on supervision personnel's caseloads, workloads, and other duties. Once BPT have determined conditions for an inmate, it befalls to the parole agent to oversee and enforce those conditions. The conditions are tailored to the offender or the case; it can create a problem for both the offender and the agent if this is not achieved. At a minimum, parole agents should have data and information that assist them in the availability of and intended audience for specific community programs, the flexibility and discretion allowed to them to help in a successful reintegration back into society.

In collaboration, parole boards and parole agents seek to balance the use of assessment tools or instruments, disclose information, and develop general strategies to maximize the effectiveness of parole in their jurisdiction.

(Parole's Function, Purpose, and Role in the Criminal Justice System)

Expanding California Prisons

When it concerns the expansion of prisons, at present it is not feasible, "one, they're in no position to build more prisons. Two, having so many prisoners is a key reason for their bloated budget in the first place".

(Blackwell B. 2011)

Restructuring California's Parole System

Bearing in mind the analyses of criteria, feasibility and realization yield a hybrid substandard proposal, combining the existing model of construction

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and prison population reduction strategies, in addition to better rehabilitative services alongside the streamline of parole. My conclusion indicates that this system will be both politically acceptable and will prove more effective at subduing the current crisis than a strict “brick and mortar” approach.

A critical analysis of the effectiveness of the Parole System

The California parole system is in a shamble. Aside from serious overcrowding and substandard health care, it is plagued by deadly violence, a revolving-door parole system and a lethal injection procedure deemed constitutionally flawed by a federal judge. The department of corrections current \$8 billion budget pays for operations at the state’s 33 prisons, which were designed for a capacity of 109, 805 inmates but which now hold 143, 435. (Vara, V. and White, B. 2011) As a result of some 16, 000 of those prisoners now bunking in corridors, gymnasiums, and rec rooms, these facilities are now bordering on constant lockdown, increasing both tensions and the crime rate within. “ We have overcrowding and idle inmates and the combination of the two is causing an unsafe situation,” says James Tilton, Secretary of Corrections and Rehabilitation. (<http://www.ccpoa.org/news/tags/tag/james+tilton>)” On top of that we have pressure from all these lawsuits regarding our provision of medical and mental health care which has brought the threat of [judicially imposed] population caps.” (Vara, V. and White, B. 2011)

We have the facts in front of us and we need to act on them. “ The current culture within the prison and parole system is one of punishment.

Unfortunately, the inmates model the treatment they receive,” he said. “

Instead of leaving prison a changed person, six out of 10 go right back to crime. The system is broken.”

He said correctional staff must be given an understanding of who is in prison, how they got there and what can be done about it. “ They need training in leadership, discipline, substance abuse, anger management and people skills,” he said. Citing a slew of issues that drive up crime, Deacon Dufour said poverty is at the top of the list. He explains that the vast majority of Texas inmates come from very poor circumstances. “ So then we look at the causes of poverty and find three consistent characteristics,” he said. “ Being a school drop-out, having children outside of marriage, and/or getting married before the age of 20. Just having one of these life stories puts you in a group with a 79 percent poverty rate.” He added that 80 to 90 percent of all Texas offenders have the following the problems before they break the law: they were abused and/or neglected as children, they were reared in fatherless households, they abused drugs/alcohol, and they had no spiritual life.

“ Nothing will change until these social tragedies are addressed,” he said. Deacon Dufour works with county, city and school authorities to develop services directed at reducing drop-out rates, stabilizing families and training teachers to properly deal with at-risk kids. “ I’m convinced that most teachers, with the proper training, can make a huge difference in the choices a child makes. There are techniques that are being used in other states with great success,” he said. Describing Catholics as “ excellent educators, producing outstanding schools,” Dufour believes that the church can help make changes with the secular school system. “ We need the power of the <https://assignbuster.com/examining-the-debates-and-arguments-of-parole-criminology-essay/>

Catholic Church to push life-changing initiatives in Texas public schools through our legislature. That is what our Criminal Justice Ministry is attempting to do.” Deacon Dufour comes from a military background; he served in Korea and Vietnam. A long-time parishioner of St. Theresa Parish in Austin, he was ordained a deacon in 1984. A few years later, he was asked to lead a prison Bible study ministry and from there the Criminal Justice Ministry was born.

“ I feel blessed to be in this role,” Deacon Dufour said. “ And I know we are making a difference. In the 25 years I have seen some definite improvements, especially after the last three Texas legislative sessions. Instead of the automatic ‘ throw them in prison’ attitude, I’m seeing more treatments and alternatives to incarceration.”

The provision of services to victims by parole agents began in the 1970s on the heels of the Victims’ Rights Movement, which propelled victims’ needs into the public and juridical consciousness and underscored the importance of treating crime victims with compassion and sensitivity at every step in the criminal justice process. The field operations involve the direct supervision of offenders and are in charge of the regional directors in the offices of Tyler, Dallas, Houston, San Antonio and Midland. The field staff consists mainly of probation officers are responsible for overseeing the activities of offenders and their compliance with release conditions and the laws of society. The probation officers are also investigating release plans before the meeting, evaluate and classify released after his release and develop a monitoring plan based on the needs of each offender.

Monitoring programs include after-care treatment at a substance abuse testing, drug and alcohol, electronic monitoring and supervision of offender's treatment and probation officers "sexuales". Los promote compliance by the offender of the conditions release. To this end, support the use of interventions, and implementation of options motivation, and make every effort improve the successful reintegration of offenders through services that affect the factors contributing to recidivism. In addition, when necessary, field staff works closely with the Board of Pardons and Paroles and its hearing officers to process the transgressions of the conditions of release. The probation officers also supervise those released have been transferred from other states under the Interstate Compact.

The main objective of the Central Coordination Unit (CCU) is to provide support to field operations. In this capacity, incumbent have various responsibilities. The unit monitors the number of cases assigned detention / deportation until a case is officially closed and then notifies field staff on changes in the status of the case. In addition, the CCU checks the death notices received by the processing unit and case files for transfer to "estatales". Asimismo files, the CCU receives transfers from the Interstate Compact Office with regard to offenders who move to other states seeking or move to Texas from other states then the unit monitors the case until its release, death or his return to Texas. Finally, the Central Coordination Unit is responsible for the location of offenders that the Board has separately incorporated or intermediate sanction facilities (ISF) and Felony Punishment Facility Substance Abuse (SAFPF) state wide.

Parole officers are responsible for enforcing the conditions of community supervision. Failure to obey these conditions can result in a violation of probation or parole. The former can result in a longer sentence to probation or stricter conditions of supervision; the latter usually results in a return to prison. In the enforcement of the conditions of probation and parole, officers' duties focus on the rights, needs, and recovery of crime victims.

In cases of victim abuse and interpersonal violence, social agency officers participate in ensuring the safety of the victim through the enforcement of orders of protection. Such orders prohibit offenders from having any contact with the victim or being within a certain geographic proximity to the victim. The failure to abide by the orders is corroborated by the officers who use victim reports of offender harassment as evidence to file a petition to have the probation or parole revoked. To help victims cope with injuries or other adverse effects of victimization, probation and parole officers broker services from public or private agencies that respond to the needs of crime victims. They also notify victims about changes in an offender's case status. For example, parole officers can notify victims about a parolee's release date from prison and probation officers can notify them about a violation of probation hearing or when a probation sentence is near termination or completion.

Commentary on ways in which the social agency could improve its effectiveness towards its social goals

The federal parole service establishes minimum and optimum targets for the employment of Aboriginal people. The minimum target must be no less than

the percentage of Aboriginal people in Manitoba; the optimum target is the percentage of Aboriginal people served by the parole service.

The National Parole Board, in conjunction with Aboriginal groups, establishes release guidelines, which take into account the cultural and social circumstances unique to Aboriginal people.

There are Aboriginal parole officers in each Aboriginal community.

The National Parole Board be given authority to transfer jurisdiction over a case to the Aboriginal Parole Board.

The Solicitor General name an additional number of Aboriginal persons as National Parole Board members, in consultation with Aboriginal organizations.

The National Parole Board ensures that all applications involving Aboriginal inmates, including applications for the revocation of parole, be heard by panels which have at least one Aboriginal member.

The membership profile for National Parole Board members be changed to permit greater representation of Aboriginal people.

A program of cross-cultural awareness be developed and implemented for all correctional and parole staff who are involved in making parole decisions about Aboriginal offenders; and that any such cross-cultural awareness program specifically take into account Aboriginal living conditions, Aboriginal values and customs, and the resources available in Aboriginal communities to support the reintegration of offenders.

The separate roles of parole officer and probation officer are combined in Aboriginal communities. <http://www.ajic.mb.ca/volume1/chapter12.html>

Conclusion

Social agencies officers are responsible for the supervision of more than 5 million adult offenders in the United States. As the most common disposition in the United States for felony convictions, probation is a sentence in lieu of incarceration that monitors people under conditions of release. The two types of parole conditions are mandatory and special. Mandatory conditions are defined by state or federal statutes and applied to every sentenced to probation.

These conditions include not owning or carrying a weapon, reporting to a probation officer on a schedule that is determined by the officer at intake, leaving jurisdiction only with the judge's knowledge and approval, allowing unannounced home visits by the officer, and remaining free of arrests during the probation period. Special conditions are imposing by the judge during sentencing and applying to the circumstances of the case. They can include participation in treatment for alcohol or drug abuse, the payment of fines, the obtaining of mental health services, and earning a General Equivalency Diploma.