



Corrections and Community Supervision

Board of Parole

Legislative Report

2015

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In March 2011, Governor Andrew M. Cuomo and the State Legislature followed through on the Governor's vision of merging the former Division of Parole with the former Department of Correctional Services to form a new agency called the Department of Corrections and Community Supervision (DOCCS) (see Chapter 62 of the Laws of 2011, Part C, subpart A). The Board is an independently functioning unit of DOCCS regarding all of its decision-making functions, powers, and duties specified in law. Statewide, Administrative Law Judges (Hearing Officers), Preliminary Hearing Officers, Board Counsel's Office attorneys and administrative staff, stationed in several regional offices, report directly to the Board.

This report is produced in accordance with section 259-c(13) of the Executive Law, which requires the Board to report to the Governor and the Legislature on its activity from the previous calendar year. This report covers years 2011 through 2015. Parole Board data between 2011 and 2015 is included here and was submitted to the Governor and Legislature as part of the Department's Annual Legislative Briefings and Reports. Henceforth, the Board of Parole's Annual Reports will be submitted separately from DOCCS'. Additionally, the information contained in DOCCS' Annual Medical Parole Report was consolidated into this report and will no longer be reported separately.

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INTRODUCTION

The Board's mission is "to ensure public safety by granting parole when appropriate under the governing standards, revoking community supervision when necessary and discharging offenders from their sentence when it is in the best interest of society."

The Board may legally have up to 19 members and, while at the time of this report's publication has 12 members. There were also 12 members at the conclusion of 2015. Each member is appointed by the Governor and confirmed by the Senate for a six-year term. One member is designated by the Governor to serve as the Chairperson of the Board. The Board has two primary responsibilities. The first is the meticulous case-by-case screening of individuals being considered for discretionary release. The second is to establish the conditions of release for each incarcerated individual being released to community supervision. The Board interviews incarcerated individuals in panels of no fewer than two, nor more than three commissioners, located in four different locations each week across the State.

In 1994, Section 440.50 of the New York Criminal Procedure Law was amended in order to provide crime victims the ability to meet face to face with a member of the Board. The Department's Office of Victim Assistance handles victim notifications, receives and provides to the Board written or recorded impact statements, and schedules in-person statements with the Board. Victims have the following rights regarding the parole process: (A) to be notified when an inmate is scheduled to see the Board; (B) to send a written impact statement to the Board; (C) to submit an audio-taped or video-taped victim impact statement to the Board; (D) for certain violent crimes, to meet with a member of the Board to give a statement in person; (E) to be notified of the Board's decision; and (F) to be notified of an inmate's scheduled release date and the name of the assigned parole officer.

The Board also has the authority to revoke supervision when it determines a released individual violated the conditions of release in an important respect. This action may return the individual to a DOCCS correctional facility or impose other appropriate sanctions.

All decisions of the Board and its Administrative Law Judges may be administratively appealed. The Board's Office of Counsel reviews these appeals and any resulting litigation.

EXECUTIVE SUMMARY

- The Total Parole Board Workload declined by 2,325 interviews/case reviews from 24,287 in 2011 to 21,962 in 2015. This represents a 10% decrease since 2011 and 5% decrease from 2014 (Table 1).
- The Total Initial approval rate (excluding Shock) increased by 2% from 18% in 2011 to 20% in 2015. The Total Initial approval rate (excluding Shock) increased slightly from 19% in 2014 to 20% in 2015, while the Total Non-Administrative release rate remained fairly stable over the five-year period (Table 1).
- The number of Initial interviews for Drug Offenders (excluding Shock and Early Deportation) declined by 281 from 715 in 2011 to 434 in 2015. This represents a 39% decrease. The release rate for these cases declined from 23% in 2011 to 19% in 2015 (Tables 2 and 3).
- The number of Initial interviews for Legislative Violent Felony Offenders declined by 73 from 1,300 in 2011 to 1,227 in 2015. This represents a 6% decrease. The release rate for these cases remained at 7% (Tables 2 and 3).
- The number of Initial interviews for A-I Violent Offenses¹ increased by 32 from 358 in 2011 to 390 in 2015. This represents a 9% increase. The release rate for A-Is increased by 10% from 12% in 2011 to 22% in 2015 (Tables 2 and Tables 3a and 3b).
- The number of Medical Parole Interviews more than doubled from 6 in 2011 to 13 in 2015. The release rate declined by 14% from 83% in 2011 to 69% in 2015 (Table 5).
- The number of ultimate violation process outcomes for parole violators with sustained charges declined by 1,294 from 13,435 in 2011 to 12,141 in 2015. This represents a 10% decrease. Sixty-two percent (62%) of the violation outcomes in 2015 were ordered to prison, 24% to Willard or an Alternative 90 or 45 Day Program, and 14% were revoked and restored to the street or a program in the community (Table 9). In addition to these outcomes, there were 1,034 diversions to a Parole Diversion Program at Edgecombe, Hudson or Orleans Correctional Facilities, which served to divert and stabilize offenders whose behavior in the community placed them at risk of being returned to prison as parole violators.
- The number of parolees returned to prison for new felony convictions declined by 221 from 1,496 in 2011 to 1,275 in 2015. This represents a 15% decrease (Table 13).
- The number of parolees returned to prison for violating the conditions of parole declined by 958 from 9,187 in 2011 to 8,229 in 2015. This represents a 10% decrease (Table 14).

¹These are the non-drug A-I felonies such as Murder, Arson and Kidnapping.

Section 1 – Interviews and Release Rates

There are four major mechanisms through which individuals are released to parole supervision in the community: 1) Board of Parole interview and release determination, 2) Presumptive Release, 3) Conditional Release, and 4) Other Release.

Board of Parole interview release determinations also include final Deportation releases and Shock decisions.

Presumptive Releases occur when the Commissioner of DOCCS determines that incarcerated individuals should be released from prison after serving at least 5/6 of their minimum sentences. For these releases, the Board of Parole sets the conditions of parole supervision in the community.

Conditional Releases occur when incarcerated individuals reach their conditional release dates (typically 6/7 of a determinate sentence; 2/3 of an indeterminate sentence) and are automatically released from prison on that date, unless good time was lost while in prison.

The Other Release category includes: being on parole supervision in another state and requesting transfer to New York (Cooperative cases), being judicially sentenced to parole supervision (i.e., judicially sentenced to the Willard Drug Treatment Campus), being a juvenile offender released to parole supervision directly from the Office of Children and Family Services (OCFS), being placed on parole supervision directly from local jail, and being placed on a specialized sex offender caseload in the community after a determination is made by the court (SIST¹).

The Board actively monitors release rates and conditions imposed for individuals released to community supervision through each of the four mechanisms listed above. Detailed information on these releases from 2011 to 2015 is provided below:

- The Total Non-Administrative release rate remained fairly constant between 23.0% in 2011 and 23.4% in 2015. The Total Initial approval rate (excluding Shock) increased slightly from 18% in 2011 to 20% in 2015 (Table 1).

¹ SIST stands for Strict and Intensive Supervision and Treatment. Sex offender parolees can be placed on this type of community supervision caseload as part of the civil management process in New York. Parolees must be referred (usually by DOCCS) for civil management prior to release from prison or discharge from parole supervision and evaluated by the Office of Mental Health (OMH). If OMH determines that the parolee suffers from a “mental abnormality,” the case is referred to the Attorney General for possible litigation. If the Attorney General proceeds with litigation, the parolee is entitled to a jury trial; a unanimous verdict is required for a parolee to be involuntarily confined or placed under intensive supervision. If the court finds that the parolee warrants Civil Management, but can safely be supervised in the community, he or she will be allowed to live in the community while supervised on a SIST caseload, as long as he or she complies with all the conditions set by the Board of Parole, does not break the law and receives the treatment he or she needs. For additional information on this topic, the following report can be referenced: http://criminaljustice.state.ny.us/nsor/somta_report_april2008.pdf.

- The number of Presumptive Releases declined by 97 from 124 in 2011 to 27 in 2015. This represents a 78% decrease. (Table 1).
- The number of Initial interviews for Drug Offenders (excluding Shock and Early Deportation) declined by 281 from 715 in 2011 to 434 in 2015. This represents a 39% decrease. The release rate for these cases declined by 4% from 23% in 2011 to 19% in 2015 (Table 2 and Tables 3a and 3b).
- The release rate for A-I Violent Felonies increased by 10% from 12% in 2011 to 22% in 2015 (Table 2 and Tables 3a and 3b).
- The number of Initial interviews for Other Coercive Offenses² declined by 149 from 1,488 in 2011 to 1,339 in 2015. This represents a 10% decrease. The release rate for these offenses increased by 6% from 11% in 2011 to 17% in 2015 Table 2 and Tables 3a and 3b).
- The Board conducted 183 Juvenile Offender Interviews in 2015. Seventy-four percent (74%) of these were Initial Interviews (Table 4).
- The release rate of Initial interviews for Juvenile Offenders increased by 7% from 5% in 2011 to 12% in 2015 (Table 4).

²Other Coercive Offenses are not defined as violent felonies but include aggravating elements (i.e. Burglary 3rd, Manslaughter 2nd).

TABLE 1. PAROLE BOARD INTERVIEWS AND RELEASE RATES: 2011 to 2015

	2011	2012	2013	2014	2015
Initials	7,136	7,125	6,960	7,152	6,818
Releases	1,098	1,148	1,084	1,138	1,142
Release Rate	15.4%	16.1%	15.6%	15.9%	16.7%
Merit	1,624	1,801	1,628	1,516	1,464
Releases	457	586	542	512	507
Release Rate	28.1%	32.5%	33.3%	33.8%	34.6%
Supplemental Merit	7	14	2	1	1
Releases	3	8	1	0	1
Release Rate	42.9%	57.1%	50.0%	0.0%	100.0%
Limited Credit Time	74	65	59	101	106
Releases	16	15	13	21	22
Release Rate	21.6%	23.1%	22.0%	20.8%	20.8%
Final Deportation	77	80	65	53	42
Releases	60	62	40	35	24
Release Rate	77.9%	77.5%	61.5%	66.0%	57.1%
Total Initials w/o Shock	8,918	9,085	8,714	8,823	8,431
Releases	1,634	1,819	1,680	1,706	1,696
Release Rate	18.3%	20.0%	19.3%	19.3%	20.1%
Shock	1,029	872	946	836	679
Releases	893	752	802	650	542
Release Rate	86.8%	86.2%	84.8%	77.8%	79.8%
Reappearance	3,827	3,506	3,299	3,192	2,936
Releases	661	716	617	666	581
Release Rate	17.3%	20.4%	18.7%	20.9%	19.8%
PV/CR Reappearance	333	192	126	151	144
Releases	63	45	35	35	29
Release Rate	18.9%	23.4%	27.8%	23.2%	20.1%
Total Non-Administrative	14,107	13,655	13,085	13,002	12,190
Releases	3,251	3,332	3,134	3,057	2,848
Release Rate	23.0%	24.4%	24.0%	23.5%	23.4%
Other Administrative	179	148	163	174	260
CRC Reviews	5,585	5,366	5,221	5,249	5,204
CRC-PV Reviews	2,254	2,711	3,013	2,910	2,635
CRC- Shock Reviews	752	757	720	689	626
CRC Merit Reviews	1,155	946	967	846	832
CRC Limited Credit Time Reviews	131	168	200	225	188
Presumptive Reviews	35	42	44	17	6
Merit PR Review	88	59	63	28	21
Supp Merit PR Review	1	0	1	0	0
Total Board Workload	24,287	23,852	23,477	23,140	21,962
SORC Reappearances	3,100	2,533	2,195	2,138	1,855

TABLE 2. PAROLE BOARD DECISIONS BY SUMMARY CRIME CATEGORIES
2011 through 2015 Initial Interviews
(Includes Merit, Supplemental Merit and LCTA; Excludes Shock and Early Deportation)

CRIME OF COMMITMENT	2011			2012			2013			2014			2015		
	Initial Interviews	Release Granted	Release Rate	Initial Interviews	Release Granted	Release Rate	Initial Interviews	Release Granted	Release Rate	Initial Interviews	Release Granted	Release Rate	Initial Interviews	Release Granted	Release Rate
A-1 Violent Offenses	358	44	12%	353	45	13%	332	62	19%	404	77	19%	390	85	22%
Legislative VFO	1,300	86	7%	1,227	96	8%	1,287	104	8%	1,389	120	9%	1,227	90	7%
Other Coercive	1,488	167	11%	1,596	240	15%	1,504	207	14%	1,412	200	14%	1,339	224	17%
Drug Offenses	715	162	23%	602	132	22%	513	93	18%	506	89	18%	434	82	19%
Major Property	2,238	607	27%	2,443	676	28%	2,368	639	27%	2,416	667	28%	2,350	673	29%
Other Felony	2,127	393	18%	2,177	440	20%	2,028	408	20%	2,113	404	19%	2,113	409	19%
Youthful Offenders	608	114	19%	595	128	22%	614	127	21%	521	113	22%	529	109	21%
Juvenile Offenders	7	1	14%	12	0	0%	3	0	0%	9	1	11%	7	0	0%
GRAND TOTAL	8,841	1,574	18%	9,005	1,757	20%	8,649	1,640	19%	8,770	1,671	19%	8,389	1,672	20%

TABLE 3A. PAROLE BOARD DECISIONS BY CRIME OF COMMITMENT (page 1)
2011 to 2015 Initial Interviews
(Includes Merit, Supplemental Merit and LCTA; Excludes Shock and Early Deportation)

CRIME OF COMMITMENT	2011			2012			2013			2014			2015		
	Initial Interviews	Release Granted	Release Rate	Initial Interviews	Release Granted	Release Rate	Initial Interviews	Release Granted	Release Rate	Initial Interviews	Release Granted	Release Rate	Initial Interviews	Release Granted	Release Rate
A-1 VIOLENT OFFENSES															
Murder, Murder 1st & 2nd, Attempted Murder 1st	354	42	12%	340	43	13%	326	62	19%	399	76	19%	377	83	22%
Kidnapping 1st	4	2	50%	11	2	18%	5	0	0%	4	1	25%	13	2	15%
Arson 1st	0	0	--	2	0	0%	1	0	0%	1	0	0%	0	0	--
TOTAL A-1 Violent Offenses	358	44	12%	353	45	13%	332	62	19%	404	77	19%	390	85	22%
LEGISLATIVE VFO															
Attempted Murder 2nd	35	2	6%	16	0	0%	37	5	14%	26	1	4%	38	2	5%
Manslaughter 1st	47	6	13%	43	4	9%	39	5	13%	24	4	17%	29	3	10%
Rape 1st	42	1	2%	48	0	0%	30	1	3%	40	3	8%	33	0	0%
Robbery 1st	201	8	4%	178	15	8%	176	11	6%	199	15	8%	155	16	10%
Robbery 2nd	223	14	6%	205	13	6%	198	12	6%	216	20	9%	176	18	10%
Assault 1st	53	3	6%	57	4	7%	52	2	4%	67	3	4%	60	1	2%
Other Assault	131	1	1%	138	3	2%	167	5	3%	167	10	6%	151	8	5%
Burglary 1st	35	4	11%	26	3	12%	42	5	12%	43	1	2%	24	0	0%
Burglary 2nd	249	33	13%	282	38	13%	285	41	14%	311	47	15%	262	26	10%
Attempted Arson 1st, Arson 2nd	7	1	14%	5	0	0%	2	0	0%	8	0	0%	5	0	0%
Sodomy 1st	35	0	0%	16	1	6%	21	0	0%	27	1	4%	32	0	0%
Sexual Abuse	52	1	2%	36	1	3%	36	0	0%	40	0	0%	44	2	5%
Weapons Offenses	182	11	6%	168	14	8%	179	17	9%	207	14	7%	199	13	7%
Terrorism/False Bombing	1	0	0%	3	0	0%	14	0	0%	10	0	0%	5	0	0%
Attempted Kidnapping 1st, Kidnapping 2nd	7	1	14%	6	0	0%	9	0	0%	4	1	25%	14	1	7%
TOTAL Legislative VFO	1,300	86	7%	1,227	96	8%	1,287	104	8%	1,389	120	9%	1,227	90	7%
OTHER COERCIVE															
Manslaughter 2nd	64	6	9%	45	4	9%	73	7	10%	50	4	8%	23	7	30%
Other Homicide	47	2	4%	67	4	6%	48	4	8%	54	3	6%	49	5	10%
Robbery 3rd	584	73	13%	642	99	15%	627	92	15%	588	86	15%	529	95	18%
Attempted Assault 2nd	295	19	6%	368	42	11%	344	38	11%	310	36	12%	294	33	11%
Other Sex Offenses	109	9	8%	89	10	11%	78	3	4%	77	8	10%	69	4	6%
Other Coercive	389	58	15%	385	81	21%	334	63	19%	333	63	19%	375	80	21%
TOTAL Other Coercive	1,488	167	11%	1,596	240	15%	1,504	207	14%	1,412	200	14%	1,339	224	17%

TABLE 3B. PAROLE BOARD DECISIONS BY CRIME OF COMMITMENT (page 2)
2011 to 2015 Initial Interviews
(Includes Merit, Supplemental Merit and LCTA; Excludes Shock and Early Deportation)

CRIME OF COMMITMENT	2011			2012			2013			2014			2015		
	Initial Interviews	Release Granted	Release Rate	Initial Interviews	Release Granted	Release Rate	Initial Interviews	Release Granted	Release Rate	Initial Interviews	Release Granted	Release Rate	Initial Interviews	Release Granted	Release Rate
DRUG OFFENSES															
Drug Sale	367	82	22%	318	70	22%	266	47	18%	255	47	18%	198	37	19%
Drug Possession	348	80	23%	284	62	22%	247	46	19%	251	42	17%	236	45	19%
TOTAL Drug Offenses	715	162	23%	602	132	22%	513	93	18%	506	89	18%	434	82	19%
MAJOR PROPERTY															
Burglary 3rd	973	212	22%	1,091	251	23%	1,079	248	23%	1,101	269	24%	962	248	26%
Grand Larceny	776	255	33%	823	259	31%	800	234	29%	830	245	30%	894	279	31%
Forgery	247	82	33%	293	99	34%	239	99	41%	243	87	36%	271	93	34%
Stolen Property	242	58	24%	236	67	28%	250	58	23%	242	66	27%	223	53	24%
TOTAL Major Property	2,238	607	27%	2,443	676	28%	2,368	639	27%	2,416	667	28%	2,350	673	29%
OTHER FELONY															
Driving While Intoxicated	764	191	25%	774	190	25%	663	143	22%	634	125	20%	594	148	25%
Non-Violent Weapon Offenses	363	43	12%	330	52	16%	352	58	16%	380	79	21%	392	56	14%
All Other Felonies	1,000	159	16%	1,073	198	18%	1,013	207	20%	1,099	200	18%	1,127	205	18%
TOTAL Other Felony	2,127	393	18%	2,177	440	20%	2,028	408	20%	2,113	404	19%	2,113	409	19%
YOUTHFUL/JUVENILE OFFENDERS															
Youthful Offenders	608	114	19%	595	128	22%	614	127	21%	521	113	22%	529	109	21%
Juvenile Offenders	7	1	14%	12	0	0%	3	0	0%	9	1	11%	7	0	0%
TOTAL YO/JO	615	115	19%	607	128	21%	617	127	21%	530	114	22%	536	109	20%
GRAND TOTAL	8,841	1,574	18%	9,005	1,757	20%	8,649	1,640	19%	8,770	1,671	19%	8,389	1,672	20%

**TABLE 4. JUVENILE OFFENDER
PAROLE BOARD INTERVIEWS AND RELEASE RATES**

	2011		2012		2013		2014		2015	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
INITIAL INTERVIEWS										
Released	7	5%	19	15%	17	14%	15	12%	16	12%
Postponed	42	32%	29	23%	38	31%	45	35%	63	47%
Denied	83	63%	77	62%	68	55%	70	54%	56	41%
TOTAL	132	100%	125	100%	123	100%	130	100%	135	100%
REAPPEARANCE INTERVIEWS										
Released	13	16%	22	24%	23	28%	18	24%	7	15%
Postponed	16	20%	16	17%	13	16%	17	22%	13	27%
Denied	53	65%	55	59%	45	56%	41	54%	28	58%
TOTAL	82	100%	93	100%	81	100%	76	100%	48	100%

These figures represent cases identified on the Guidelines data system as having a juvenile offender indicator.

Section 2 – Medical Parole Program

Chapter 55 of the Laws of 1992 created the New York State Medical Parole Law by enacting section 259-r of the Executive Law. This statute, which became effective in April 1992, gave the Board the authority to grant parole release to certain terminally ill inmates prior to the expiration of the minimum period of their sentence. Previously, only a grant of executive clemency could allow for the release of a terminally ill offender before their parole eligibility date. As a result, inmates suffering from debilitating and terminal diseases spent their final days far from their families and at a significant cost to the State. Medical parole represented a compassionate and practical response to dying inmates who were so debilitated or incapacitated that there was a reasonable probability they were incapable of presenting any danger to society.

Chapter 56 of the Laws of 2009 gave the Board the authority to grant inmates release to medical parole who are certified as suffering from a significant debilitating illness by enacting section 259-s of the Executive Law.

Staff who assessed an eligible inmate's medical condition pre-merger, continue to perform that function. In addition, the Commissioner of DOCCS continues to certify cases to the Board following a medical assessment for review and consideration under sections 259-r and 259-s of the Executive Law.

Eligibility

Release on medical parole may be granted by the Parole Board only after an inmate is diagnosed by a physician to suffer from either a terminal medical condition or a permanent non-terminal medical condition that renders him or her so debilitated or incapacitated, mentally or physically, as to be severely restricted in his or her ability to self-ambulate or to perform significant normal activities of daily living. The Commissioner of DOCCS or a designee reviews the physician's diagnosis and certifies that the inmate is so debilitated or incapacitated as to create a reasonable probability that he or she is physically or cognitively incapable of presenting any danger to society.

The convictions and sentences of all applicants are thoroughly screened to ensure that ineligible inmates are excluded from medical parole consideration. In particular, sections 259-r and 259-s of the Executive Law deem any inmate serving a sentence for Murder in the 1st Degree, or an attempt or conspiracy to commit Murder in the 1st Degree ineligible for medical parole.

The Release Decision

The Board utilizes the standards set forth in sections 259-r and 259-s of the Executive Law to make medical parole release decisions. These sections mandate that release on medical parole be granted, "only after the board considers whether, in light of the inmate's medical condition, there is a reasonable probability that the inmate, if released, will live and remain at liberty without violating the law, and that such release is not incompatible with the welfare of society and will

not so deprecate the seriousness of the crime as to undermine respect for the law.” It also empowers the Board to grant release on medical parole to DOCCS-certified applicants at specified times during their incarceration, prior to completion of the court-imposed minimum sentence. As with any case considered for discretionary release, a panel consisting of no fewer than two, nor more than three Board commissioners is required to conduct an interview with the inmate and review the case record that was prepared by DOCCS staff.

Pursuant to sections 259-r and 259-s of the Executive Law, the sentencing judge, prosecuting district attorney, and defense counsel are provided written notice when the inmate is being considered for medical parole and are afforded an opportunity to submit comments to the Board. The Board cannot make a release decision until the expiration of the prescribed comment period, which is fifteen days for terminally ill people and thirty days for non-terminally ill people.

The Department is statutorily required to provide a medical discharge plan to the Board for its review and consideration when assessing the appropriateness for granting this type of release. The standards against which the discharge plans are developed are consistent with hospital discharge planning regulations. The medical discharge plan identifies the level of medical care the inmate will require upon release and confirms the availability of a suitable placement in the community.

Post-Release Review

Prior to the expiration of the initial six-month period of medical parole, the Board reviews each case to determine whether the offender’s medical parole should be continued. Executive Law sections 259-r(4)(d) and 259-s(4)(d) require the medical parolee to undergo “...a medical examination at least one month prior to the expiration of the period of medical parole.” The statutes further require the medical parolee to provide the Board with a report, prepared by the treating physician, that summarizes the results of the medical examination so the Board can make an extension decision. The report must specifically address whether the medical parolee continues to suffer from the terminal or significant and permanent non-terminal medical condition that resulted in his or her early release and assess their ability to self-ambulate or perform significant normal activities of daily living. DOCCS Community Supervision staff maintain contact with medical providers to ensure that medical reports are submitted to the Board as required.

A hearing is required if the Board does not receive an appropriate medical report or if there is information indicating that the grant of medical parole is no longer warranted under the governing standard. If a Board decision is pending at the time the six-month term of medical parole expires, the term is extended and the medical parolee remains in the community until the Board makes its decision. Section 259-r of the Executive Law mandates that alleged violators be lodged at a DOCCS correctional facility, rather than a local jail, during any revocation proceedings for individuals granted release via medical parole.

Medical Parole Program Highlights

Below are statistics on the applications received, determinations made, and release information for the medical parole program from 2011 to 2015. Appendix A includes summaries of medical parole processing and outcomes for all applications reviewed by the Board of Parole from January 2011 through December 2015.

- There were 96 certified applications submitted for medical parole from 2011 to 2015. There was an average of 19 application submitted per year during this five-year period: 10 in 2011; 18 in 2012; 17 in 2013; 33 in 2014; and 18 in 2015.
- The primary diagnosis of the 96 applicants was Cancer (51%). Ninety-three percent (93%) of the applicants were male and 7% were female.
- Sixteen (16) applicants died prior to a Board Interview. Three (3) applications that were submitted in December 2015 did not have a Board interview prior to the end of 2015.
- Sixty (60) of the 77 (78%) medical parole applicants who appeared before the Board from 2011 to 2015 were granted medical parole. This is a 78% approval rate. The 16 applicants who were denied release were denied due to their risk assessment/criminal history. The remaining applicant was postponed and died prior to their next Board appearance.
- For those individuals released to Medical Parole in 2015, an average of 18 business days elapsed between the Board appearance date and the release date. This was an 18% decrease from an average of 22 business days in 2014.
- Approximately 6,387 prison days were saved due to parolees' early release to medical parole supervision from 2011 to 2015.
- A total of 35 of the 52 individuals released on medical parole from 2011 to 2015 were released to New York City. The remaining 17 were released to counties in upstate New York.
- Placements pursuant to the final medical discharge plans for the 52 releases from 2011 to 2015 were as follows: 35 to skilled nursing facilities, 16 to home care, and 1 to a hospital setting.
- A total of 23 (44%) of the 52 cases granted medical parole and released from 2011 to 2015 were still under medical parole supervision at the end of 2015. Eighteen parolees (35%) died following release, 10 parolees (20%) converted to regular parole at their parole eligibility dates and 1 parolee (2%) was revoked and returned to prison.
- The 23 parolees under medical parole supervision at the end of 2015 were under supervision for a total of 14,911 days, or an average of 648 days per parolee. Each parolee's medical

condition is assessed every six months to ascertain the appropriateness of their continued status on medical parole.

- In 2015, the New York State Executive law governing release on medical parole was amended by enacting section 259-r(10) & (11) to allow certain eligible inmates to be granted medical parole presumptively by the Commissioner of DOCCS, with the Chairperson of the Board of Parole’s review and approval. The inmate’s crime must be non-violent. One inmate was granted medical parole by the Commissioner in 2015.

**TABLE 5. MEDICAL PAROLE BOARD RELEASE RATES
FOR APPLICATIONS SUBMITTED
2011 through 2015**

	Calendar Year					Total
	2011	2012	2013	2014	2015	
Medical Parole Interviews	6	15	16	27	13	77
Granted Release	5	14	12	20	9	60
Release Rate	83%	93%	75%	74%	69%	78%

Section 3 – Counsel’s Office

Parole Board Office of Counsel – The Office of Counsel is responsible for the following program areas: litigation; administrative appeal process; legislation/regulations; and adjudication of parole violations.

Parole Board Appeals Unit – The Appeals unit opens and processes administrative appeals from either Board decisions that deny release to community supervision or Administrative Law Judge (ALJ) decisions that revoke parole, conditional release, presumptive release or post-release supervision. The number of Administrative Appeals opened between 2012 and 2015 are as follows:

- For calendar year 2012: 4,172
- For calendar year 2013: 4,093
- For calendar year 2014: 3,563
- For calendar year 2015: 3,508

Currently, the Appeals Unit responds to administrative appeals within one month of the perfection of the brief. The Appeals Unit has four months to respond from the date of perfection.

Litigation – The Board and its employees are sometimes made parties to litigation; the most common actions that are filed are pursuant to the New York Civil Practice Law and Rules Article 78 and habeas corpus proceedings, claims filed in the New York Court of Claims, and actions commenced in State courts under 42 U.S.C. Section 1983.

Section 4 - Bureau of Adjudication

The Board has the jurisdictional authority to revoke the release of any person released from a DOCCS correctional facility prior to the maximum expiration date of their sentence. Administrative Law Judges and Preliminary Hearing Officers adjudicate alleged violations of parole; the Bureau has one Chief ALJ, three Supervising ALJs and nineteen ALJs. In addition, there are eight Preliminary Hearing Officers. When a parole officer believes that a releasee lapsed into criminal activity or violated one or more of the conditions of release in an important respect, a parole violation warrant may be issued so that the alleged violator can be taken into custody. Statute requires that the violators be temporarily incarcerated in the county or city in which the arrest or alleged violation occurred during the violation process.

The Department must provide the alleged violator with a final revocation hearing within 90 days from the date on which probable cause was established. Approximately 22,000 final parole revocation hearings are scheduled each year.

ALJs preside over the final revocation hearings. At a final revocation hearing, the alleged violator is entitled to a number of due process protections. Key among these is the right to representation by counsel. If an ALJ sustains one or more of the violation charges, the violator may either 1) be returned to state custody for all or a portion of the remaining sentence, 2) be sent to a state facility for custodial drug treatment, or 3) be restored to supervision with additional conditions as deemed appropriate, e.g. treatment programs. If no charges are sustained, the warrant is vacated and the person is returned to parole supervision. The Bureau operates in accordance with an established system of violation guidelines structured with appropriate penalties and separated into categories. Violators returned to prison are eligible for re-release to the community upon expiration of the time assessment imposed.

Parole Revocation Guidelines

Effective January 27, 1997, Board regulations governing the parole revocation process were amended by the Board such that revocation outcomes are determined by a guideline structure that considers criminal history, crime of conviction, and current violative behavior. The guidelines are structured to ensure that those violators with a history of violent behavior receive the most severe penalties and those with substance abuse problems receive the necessary treatment. On July 12, 2004, additional changes were implemented by the Board to improve the efficiency of the violation process. These changes did not alter the category structure, but focused on items such as expanding authorization for declaration of delinquency to area supervisors and decreasing the number of cases that require Board affirmation. Efficiency was further enhanced on February 27, 2012 when the Parole Board eliminated the requirement of Board affirmation for all cases pursuant to a court decision.

Under the guidelines, most violators fall into one of three categories, which are described below.

Category 1: The time assessment imposed on sustained Category 1 cases can be no less than 15 months; however, DOCCS may grant a mitigating reduction of up to 3 months. Category 1 cases may also be given the Alternative 90 Day program. Cases include the following violators:

- Conditionally released on a violent felony offense as defined under Penal Law Section 70.02;
- Paroled or conditionally released on an A-1 felony offense;
- Paroled or conditionally released on any felony offense under Article 125, 130, 263 or Section 255.25 of the Penal Law;
- Paroled or conditionally released on any violent felony offense involving the use, or threatened use, of a deadly weapon or dangerous instrument or the infliction of physical injury;
- Current violative behavior involving the use, or threatened use of a deadly weapon or dangerous instrument or the infliction or attempted infliction of physical injury or possession of a firearm or threats toward Department staff; or
- A criminal record that includes either a violent felony conviction, or youthful offender adjudication that occurred within the 10-year period preceding the commission of the felony on which the current sentence is based and involved the use or threatened use of a deadly weapon or dangerous instrument or the infliction of physical injury.

Category 2: Cases include the following violators:

- The current conviction is for a felony, other than A-1, defined by Article 220 or 221 of the Penal Law and the sustained violation is for other than a felony committed while on parole; or
- The current sentence is based on a conviction other than Penal Law Article 220 or 221 offense which is neither a violent felony offense or a Class A felony and the current violation charge is sustained on a Rule 8 drug charge, Rule 11 charge or special condition prohibiting the use of alcohol.

All Category 2 violators are revoked and restored to Willard DTC. However, a parole violator may be exempted from mandatory participation in Willard DTC (and moved to Category 3) when one of the following circumstances apply:

- Time remaining on sentence as of warrant lodge date is less than nine months;
- Pending felony charges as of final hearing date;
- Medical/Psychiatric ineligibility;
- Exceptional mitigating circumstances; or
- Violators who have incurred two prior sustained violations do not go to Willard, but receive a time assessment not to exceed 12 months.

Category 3: These cases include parole violators that do not fall under Categories 1 or 2.

The time assessment imposed on a Category 3 violator whose crime of conviction is a violent felony offense as defined in Penal Law Section 70.02 is the time spent in custody (at the time of the final hearing) plus six months. For a violator with a non-violent felony offense as a crime of conviction, the time assessment is time spent in custody plus three months. Violators who incurred two prior sustained violations receive a time assessment not to exceed 12 months.

Outside the Guidelines

Certain types of parole violators cannot be considered within the above described guidelines. They are considered outside the guidelines and are categorized as follows:

- Those sentenced to Willard under section 410.91 of the Criminal Procedure Law (judicially sanctioned); or
- Those restored to Willard who fail to successfully complete the 90-day program.

Mitigating Circumstances

There are five sets of mitigating circumstances which, if demonstrated, allow for a departure from the mandatory penalties imposed on Category 1, 2, and 3 violators. The mitigating circumstances are described in detail in section 8005.20 of Title 9 of the New York Codes Rules and Regulations. If mitigating circumstances apply, this group of violators can be revoked and restored to supervision if DOCCS found that: (1) the violator's program needs could be adequately addressed in the community with supervision and (2) restoration to supervision would not have an adverse effect on public safety.

Violation Process Highlights

An alleged parole violator is entitled to a preliminary violation hearing to determine whether there is probable cause, within 15 days of arrest on the parole warrant. If probable cause is found or if the preliminary hearing is waived by the alleged violator, the final revocation hearing must be scheduled to be held within 90 days.

- The majority (79%) of alleged violators scheduled for a preliminary violation hearing in 2015 waived the right to these hearings. This has been consistent over the last five years (Table 6).
- The efficiency of the violation process has been fairly stable over the last five years, as reflected in the final hearing completion rates of 60% in 2011 and 54% in 2015 (Table 7).
- The average time from lodging a warrant to the completion of a final hearing statewide was 61 days in 2015 - 67 days in NYC and 58 days in the rest of the state (Table 8).
- During 2015, 62% of violations with charges sustained resulted in returns to prison, 24% went to Willard or an Alternative 90 Day or Alternative 45 Day program, and 14% were revoked and restored to the street or a program in the community. The number of offenders ordered to prison, Willard or an alternative program decreased by 10% from 2011 to 2015. The number of offenders ordered revoked and restored to the street also decreased by 6% during this time period (Table 9). In addition to these outcomes, there were 1,034 diversions to a Parole Diversion Program at Edgecombe, Hudson or Orleans Correctional Facilities, which served to divert and stabilize offenders whose behavior in the community placed them at risk of being returned to prison as parole violators.
- The number of violators Revoked and Ordered Returned to Prison declined by 14% from 2011 to 2015 (Table 9).
- In 2015, the processing time from warrant lodging to a completed final revocation hearing was faster for category 2 mandatory revoke and restore to Willard cases than the processing time for all categories of revocation disposition averaged together (Table 10).

**TABLE 6. VIOLATION PROCESS
PRELIMINARY HEARING ACTIVITY**

Year	Preliminary Hearings							
	Waived		Completed		Adjourned		TOTAL PROCESSED	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2011	11,987	81.6%	2,419	16.5%	291	2.0%	14,697	100%
2012	12,411	82.3%	2,347	15.6%	319	2.1%	15,077	100%
2013	12,523	81.8%	2,490	16.3%	298	1.9%	15,311	100%
2014	11,400	81.2%	2,381	17.0%	263	1.9%	14,044	100%
2015	11,293	78.8%	2,639	18.4%	406	2.8%	14,338	100%

The vast majority of alleged violators scheduled for a Preliminary Violation Hearing continue to waive their right to these hearings and only a minimal number of these hearings are adjourned, as reflected in the 3% rate in 2015.

**TABLE 7. VIOLATION PROCESS
FINAL HEARING ACTIVITY**

Year	Final Hearings					
	Completed		Adjourned		TOTAL PROCESSED	
	Number	Percent	Number	Percent	Number	Percent
2011	13,583	60.2%	8,976	39.8%	22,559	100%
2012	13,344	58.6%	9,416	41.4%	22,760	100%
2013	13,354	57.8%	9,757	42.2%	23,111	100%
2014	12,374	55.3%	9,986	44.7%	22,360	100%
2015	12,261	54.5%	10,249	45.5%	22,510	100%

**TABLE 8. AVERAGE DAYS TO COMPLETE THE VIOLATION PROCESS
FOR CASES COMPLETED IN 2015**

	Total Average Processing Time	Number of Cases
New York City		
Revoke & Restore to Supervision	88	1,090
Revoke & Return	62	3,703
Revoke & Restore Willard (Voluntary)	59	16
Revoke & Restore Willard (Mandatory)	43	86
NEW YORK CITY TOTAL	67	4,895
Non-New York City (w/o Willard Removals)		
Revoke & Restore to Supervision	85	628
Revoke & Return	57	5,631
Revoke & Restore Willard (Voluntary)	39	75
Revoke & Restore Willard (Mandatory)	42	818
NON-NEW YORK CITY TOTAL	58	7,152
Willard Removals		
Revoke & Restore to Supervision	58	2
Revoke & Return	31	202
Revoke & Restore Willard (Voluntary)	29	52
Revoke & Restore Willard (Mandatory)	n/a	0
WILLARD REMOVAL TOTAL	31	256
TOTALS		
Revoke & Restore to Supervision	87	1,720
Revoke & Return	59	9,536
Revoke & Restore Willard (Voluntary)	37	143
Revoke & Restore Willard (Mandatory)	43	904
GRAND TOTAL	61	12,303

Notes: Cases included in this table had a final hearing completed during the year.
Excludes cases that were initially released as Local Releases.

**TABLE 9. ULTIMATE DISPOSITIONS FOR VIOLATIONS
WITH CHARGES SUSTAINED**

	2011		2012		2013		2014		2015	
	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
Revoke and Ordered Returned to Prison	8,705	64.8%	8,502	64.2%	8,415	63.6%	7,460	61.1%	7,504	61.8%
Revoke and Restore to Willard - Mandatory	937	7.0%	935	7.1%	877	6.6%	852	7.0%	904	7.4%
Revoke and Restore to Willard - Voluntary	172	1.3%	201	1.5%	163	1.2%	159	1.3%	143	1.2%
Alternative 90 Day Program	1,718	12.8%	1,654	12.5%	1,804	13.6%	1,714	14.0%	1,758	14.5%
Alternative 45 Day Program	64	0.5%	121	0.9%	197	1.5%	164	1.3%	112	0.9%
TOTAL ORDERED TO PRISON, WILLARD OR ALT PROGRAM	11,596	86.3%	11,413	86.2%	11,456	86.6%	10,349	84.8%	10,421	85.8%
Revoke and Restore to Street or Program	1,839	13.7%	1,829	13.8%	1,768	13.4%	1,853	15.2%	1,720	14.2%
TOTAL OUTCOMES	13,435	100%	13,242	100%	13,224	100%	12,202	100%	12,141	100%

Revoke and Restore to Street - Time Served	563	424	411	379	464
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Notes: Revoke and Ordered Returned to Prison includes some cases that were ultimately restored to supervision after serving the complete time assessment while in local jail, with no return to prison. The subset of Time Served cases is presented immediately above.

Cases included in the table had their VIOLATORS record closed during the year reported.

**TABLE 10. REVOCATION GUIDELINES CATEGORY AND PROCESSING TIME
FOR VIOLATORS WITH FINAL HEARINGS COMPLETED DURING 2015**

Guidelines Category	Rikers		Non-Rikers		Total	
	Days From Lodge to Final	Number of Cases	Days From Lodge to Final	Number of Cases	Days From Lodge to Final	Number of Cases
Category 1	103	1,075	70	2,409	80	3,484
Category 2 (Mandatory Willard)	43	86	42	818	43	904
Category 3	34	1,102	44	1,254	39	2,356
Voluntary Willard	0	0	30	75	30	75
Revoke and Restore to Supervision	84	1,059	83	591	84	1,650
Persistent Violators	61	431	46	580	52	1,011
Outside Guidelines	137	92	60	689	69	781
Alternative 90 Day Program	44	840	41	918	43	1,758
Alternative 45 Day Program	76	112	n/a	n/a	76	112
Total	68	4,797	57	7,334	61	12,131

Notes: Guidelines categories reflect the determination made by the Administrative Law Judge at the final hearing, but may not represent the eventual outcome of the case. Table excludes final hearings resulting in charges not being sustained and for those cases that were initially released as Local Releases.

Parolees Returned to Prison

To ensure public safety, the Board may grant parole when appropriate under governing standards as well as revoke Community Supervision when necessary. Below are the statistics concerning parolees that were returned to prison between 2011 and 2015.

- There were 9,504 parolee returns to prison in 2015. 8,229 (87%) of these returns were for violations of the conditions of parole and 1,275 (13%) were for new court convictions (Table 11).
- There was a decline of 221 in the number of new court convictions amongst the dynamic parolee population from 1,496 in 2011 to 1,275 in 2015. This represents a 15% decrease. (Table 11).
- The number of parolees returned for new court convictions declined 9% from 2014 to 2015, while the number of returns for parole violations decreased by 3%. During this period, the dynamic population declined by only 2% (Table 11).
- In 2015, at the time of return, 43% of all returns were supervised at Level 1, 28% at Level 2, 21% at Level 3, and 7% at Level 4. Parolees supervised at Level 1 were most likely to return for both new commitments and violating the conditions of parole (Table 12).
- In 2015, 71% of returns to prison were among parolees supervised at Level 1 or 2. This was higher than the proportion of parolees supervised at Level 1 or 2 (47%) at the end of 2015. This indicates that, as expected, returns to prison occurred disproportionately among Level 1 and Level 2 parolees (Table 12).
- The number of parolees originally convicted as drug offenders and returned to prison after a new felony conviction declined by 153 from 470 in 2011 to 317 in 2015. This represents a 33% decrease. (Table 13).
- Among the parolees returned to prison as new commitments in 2011, 40% were originally convicted of violent offenses and 31% were convicted of drug offenses. Among 2015 new commitment returns, 46% were originally committed for violent offenses and 25% were convicted of drug offenses (Table 13).
- The proportion of rule violation returns comprised of parolees originally convicted as drug offenders declined by 12% from 31% in 2011 to 19% in 2015 (Table 14).
- The number of parolees originally convicted of legislative VFOs and returned to prison for a rule violation increased by 10% from 3,447 in 2011 to 3,803 in 2015 (Table 15).

- The number of parolees originally convicted of legislative VFOs and returned to prison after conviction for a new felony declined by 2% from 589 in 2011 to 578 in 2015 (Table 16).

**TABLE 11. PAROLEES RETURNED TO PRISON: 2011 to 2015
as a Proportion of the Parolee Dynamic Population**

Return Reason	2011	2012	2013	2014	2015
New Court Conviction	1,496	1,363	1,406	1,401	1,275
	2.7%	2.6%	2.7%	2.7%	2.5%
Violating Conditions of Parole¹	9,186	9,292	9,284	8,502	8,229
	16.8%	17.4%	17.7%	16.6%	16.4%
Total Prison Returns During Year	10,682	10,655	10,690	9,903	9,504
	19.6%	20.0%	20.4%	19.3%	18.9%
Dynamic Population²	54,553	53,284	52,307	51,274	50,254

1 Included in the number of offenders returned for violating conditions of Parole are cases ordered to the Department's Alternative 90 and Alternative 45 day programs. The number of Alt 90 entrants was 1,696 for 2011; 1,689 for 2012; 1,780 for 2013; 1,726 for 2014 and 1,734 for 2015. The number of Alt 45 entrants was 63 for 2011; 124 for 2012; 183 for 2013; 164 for 2014 and 94 for 2015.

2 The dynamic population reflects the number of people who spent at least some time under active supervision (start of year active population plus all releases to supervision) over the course of the year.

TABLE 12. PAROLEES RETURNED TO PRISON DURING 2015 BY SUPERVISION LEVEL

Supervision Level	Return Reason						Supervision Level for Parolees in the Community December 31, 2015	
	New Court Conviction		Violating Conditions of Parole		Total			
	Number	Percent	Number	Percent	Number	Percent		
1 (25:1)	462	36%	3,631	44%	4,093	43%	1 (25:1)	29%
2 (40:1)	332	26%	2,342	28%	2,674	28%	2 (40:1)	18%
3 (80:1)	356	28%	1,654	20%	2,010	21%	3 (80:1)	27%
4 (160:1)	115	9%	518	6%	633	7%	4 (160:1)	24%
Pending	10	1%	84	1%	94	1%	Pending	2%
TOTAL	1,275	100%	8,229	100%	9,504	100%	TOTAL	100%

**TABLE 13. PAROLEES RETURNED TO PRISON AS NEW COMMITMENTS: 2011 TO 2015
ORIGINAL CRIME OF COMMITMENT**

The number of Drug Offenders returned to prison after conviction of a new felony has decreased by 66 percent since 2006. This reflects the combined impact of decreases in the drug offender population under supervision and significant numbers of drug offenders returned for rule violations before they commit new crimes. In 2015, 317 Drug Offenders were returned to DOCCS for committing new crimes.

Year	A1 Violent and Legislative VFO		Other Coercive		Drug Offenses		Major Property		Other Felony		YO/JO		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2011	599	40%	57	4%	470	31%	257	17%	69	5%	44	3%	1,496	100%
2012	583	43%	61	4%	386	28%	230	17%	75	6%	28	2%	1,363	100%
2013	652	46%	68	5%	380	27%	200	14%	70	5%	36	3%	1,406	100%
2014	643	46%	54	4%	349	25%	255	18%	64	5%	36	3%	1,401	100%
2015	585	46%	69	5%	317	25%	206	16%	53	4%	45	4%	1,275	100%

**TABLE 14. PAROLEES RETURNED TO PRISON FOR RULE VIOLATIONS: 2011 TO 2015
ORIGINAL CRIME OF COMMITMENT**

In 2015, 3,857 Violent Felony Offenders were returned to prison for rule violations. As the proportion of Drug Offenders under supervision has decreased, the number of Drug Offenders returned to prison for rule violations has also decreased. In 2006, just under one-third (30%) of all rule violation returns were violent felony offenders and 39% were Drug Offenders. In 2015, less than one-fifth (19%) of rule violation returns were drug offenders and almost half (47%) were violent felony offenders.

Calendar Year	A1 Violent and Legislative VFO		Other Coercive		Drug Offenses		Major Property		Other Felony		Youthful Offenders		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2011	3,487	38%	586	6%	2,886	31%	1,373	15%	576	6%	279	3%	9,187	100%
2012	3,889	42%	620	7%	2,539	27%	1,319	14%	614	7%	311	3%	9,292	100%
2013	4,078	44%	719	8%	2,186	24%	1,385	15%	625	7%	291	3%	9,284	100%
2014	3,865	45%	629	7%	1,832	22%	1,321	16%	597	7%	258	3%	8,502	100%
2015	3,857	47%	611	7%	1,589	19%	1,324	16%	579	7%	269	3%	8,229	100%

TABLE 15. ORIGINAL COMMITMENT OFFENSE OF RULE RETURNS TO PRISON: 2011 TO 2015

COMMITMENT OFFENSE	2011		2012		2013		2014		2015	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
A1 VIOLENT OFFENSES										
Murder, Murder 1st & 2nd										
Attempted Murder 1st	39	<1%	65	1%	54	1%	53	1%	53	1%
Kidnapping 1st	1	<1%	1	<1%	1	<1%	1	<1%	1	<1%
Arson 1st	0	--	1	<1%	1	<1%	0	--	0	--
TOTAL A1 Violent	40	<1%	67	1%	56	1%	54	1%	54	1%
LEGISLATIVE VFO										
Attempted Murder 2nd	55	1%	64	1%	53	1%	56	1%	48	1%
Manslaughter 1st	68	1%	93	1%	93	1%	57	1%	68	1%
Rape 1st	74	1%	115	1%	125	1%	101	1%	128	2%
Robbery 1st	487	5%	548	6%	533	6%	501	6%	457	6%
Robbery 2nd	796	9%	814	9%	829	9%	803	9%	768	9%
Assault 1st	126	1%	148	2%	146	2%	159	2%	155	2%
Other Assault	364	4%	366	4%	396	4%	398	5%	368	4%
Burglary 1st	75	1%	77	1%	86	1%	80	1%	88	1%
Burglary 2nd	620	7%	695	7%	758	8%	787	9%	761	9%
Attempted Arson 1st, Arson 2nd	14	<1%	19	<1%	24	<1%	15	<1%	24	<1%
Sodomy 1st	62	1%	103	1%	97	1%	81	1%	66	1%
Sexual Abuse	208	2%	217	2%	259	3%	184	2%	245	3%
Weapons Offense	487	5%	552	6%	599	6%	575	7%	606	7%
Terrorism/False Bombing	3	<1%	4	<1%	6	<1%	3	<1%	8	<1%
Attempted Kidnapping 1st, Kidnapping 2nd	8	<1%	7	<1%	18	<1%	11	<1%	13	<1%
TOTAL Legislative VFO	3,447	37%	3,822	41%	4,022	43%	3,811	45%	3,803	46%
OTHER COERCIVE										
Manslaughter 2nd	8	<1%	15	<1%	11	<1%	15	<1%	11	<1%
Other Homicide	13	<1%	6	<1%	6	<1%	5	<1%	3	<1%
Robbery 3rd	295	3%	278	3%	312	3%	290	3%	240	3%
Attempted Assault 2nd	78	1%	100	1%	119	1%	95	1%	113	1%
Other Sex Offenses	112	1%	132	1%	161	2%	141	2%	175	2%
Other Coercive	80	1%	89	1%	110	1%	83	1%	69	1%
TOTAL Other Coercive	586	6%	620	7%	719	8%	629	7%	611	7%
DRUG OFFENSES										
Drug Sale	1,948	21%	1,658	18%	1,416	15%	1,172	14%	971	12%
Drug Possession	938	10%	881	9%	770	8%	660	8%	618	8%
TOTAL Drug Offenses	2,886	31%	2,539	27%	2,186	24%	1,832	22%	1,589	19%
MAJOR PROPERTY										
Burglary 3rd	656	7%	637	7%	695	7%	656	8%	684	8%
Grand Larceny	375	4%	349	4%	355	4%	378	4%	365	4%
Forgery	174	2%	157	2%	178	2%	149	2%	125	2%
Stolen Property	168	2%	176	2%	157	2%	138	2%	150	2%
TOTAL Major Property	1,373	15%	1,319	14%	1,385	15%	1,321	16%	1,324	16%
OTHER FELONY										
Driving While Intoxicated	171	2%	154	2%	128	1%	124	1%	114	1%
Non-Violent Weapons Offense	86	1%	101	1%	100	1%	120	1%	100	1%
All Other Felonies	319	3%	359	4%	397	4%	353	4%	365	4%
TOTAL Other Felony	576	6%	614	7%	625	7%	597	7%	579	7%
YOUTHFUL/JUVENILE OFFENDERS										
YO/JO	279	3%	311	3%	291	3%	258	3%	269	3%
TOTAL YO/JO	279	3%	311	3%	291	3%	258	3%	269	3%
GRAND TOTAL	9,187	100%	9,292	100%	9,284	100%	8,502	100%	8,229	100%

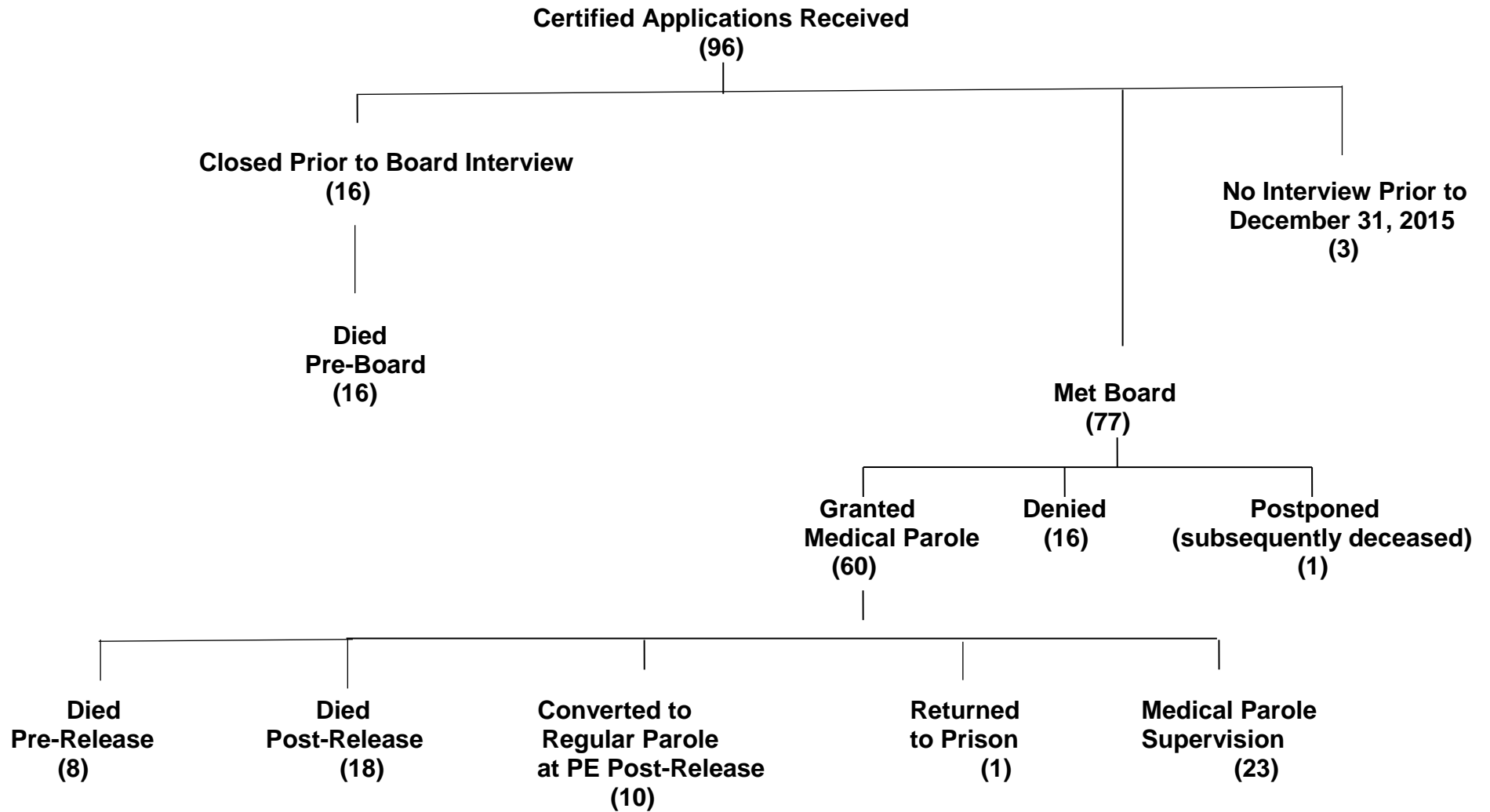
TABLE 16. ORIGINAL COMMITMENT OFFENSE OF NEW FELONY RETURNS TO PRISON: 2011 TO 2015

COMMITMENT OFFENSE	2011		2012		2013		2014		2015	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
A1 VIOLENT OFFENSES										
Murder, Murder 1st & 2nd										
Attempted Murder 1st	10	1%	8	1%	14	1%	13	1%	7	<1%
Kidnapping 1st	0	--	0	--	0	--	0	--	0	--
Arson 1st	0	--	0	--	0	--	0	--	0	--
TOTAL A1 Violent	10	1%	8	1%	14	1%	13	1%	7	<1%
LEGISLATIVE VFO										
Attempted Murder 2nd	10	1%	9	1%	18	1%	11	1%	8	1%
Manslaughter 1st	11	1%	14	1%	16	1%	10	1%	8	1%
Rape 1st	5	<1%	6	<1%	7	<1%	7	0%	6	<1%
Robbery 1st	105	7%	97	7%	111	8%	99	7%	95	7%
Robbery 2nd	136	9%	122	9%	153	11%	133	9%	109	8%
Assault 1st	25	2%	15	1%	25	2%	23	2%	28	2%
Other Assault	47	3%	48	4%	36	3%	49	3%	64	5%
Burglary 1st	12	1%	8	1%	13	1%	19	1%	14	1%
Burglary 2nd	124	8%	138	10%	125	9%	144	10%	126	9%
Attempted Arson 1st, Arson 2nd	1	<1%	0	--	0	--	1	<1%	1	<1%
Sodomy 1st	4	<1%	3	<1%	2	<1%	2	<1%	1	<1%
Sexual Abuse	9	<1%	4	<1%	9	1%	7	<1%	9	1%
Weapons Offense	95	6%	109	8%	121	9%	121	9%	109	8%
Terrorism/False Bombing	0	--	0	--	1	<1%	2	<1%	0	--
Attempted Kidnapping 1st, Kidnapping 2nd	5	<1%	2	<1%	1	<1%	2	<1%	0	--
TOTAL Legislative VFO	589	39%	575	42%	638	45%	630	45%	578	41%
OTHER COERCIVE										
Manslaughter 2nd	0	--	1	<1%	2	<1%	0	--	0	--
Other Homicide	1	<1%	0	--	1	<1%	0	--	0	--
Robbery 3rd	34	2%	36	3%	35	2%	39	3%	41	3%
Attempted Assault 2nd	9	<1%	10	1%	12	1%	4	<1%	9	1%
Other Sex Offenses	3	<1%	5	<1%	7	<1%	5	<1%	9	1%
Other Coercive	10	1%	9	1%	11	1%	6	<1%	10	1%
TOTAL Other Coercive	57	4%	61	4%	68	5%	54	4%	69	5%
DRUG OFFENSES										
Drug Sale	254	17%	200	15%	221	16%	191	14%	165	12%
Drug Possession	216	14%	186	14%	159	11%	158	11%	152	11%
TOTAL Drug Offenses	470	31%	386	28%	380	27%	349	25%	317	23%
MAJOR PROPERTY										
Burglary 3rd	133	9%	127	9%	93	7%	117	8%	103	7%
Grand Larceny	64	4%	61	4%	51	4%	85	6%	52	4%
Forgery	30	2%	14	1%	24	2%	32	2%	23	2%
Stolen Property	30	2%	28	2%	32	2%	21	1%	28	2%
TOTAL Major Property	257	17%	230	17%	200	14%	255	18%	206	15%
OTHER FELONY										
Driving While Intoxicated	22	1%	22	2%	16	1%	16	1%	16	1%
Non-Violent Weapons Offense	11	1%	20	1%	17	1%	15	1%	17	1%
All Other Felonies	36	2%	33	2%	37	3%	33	2%	20	1%
TOTAL Other Felony	69	5%	75	6%	70	5%	64	5%	53	4%
YOUTHFUL/JUVENILE OFFENDERS										
YO/JO	44	3%	28	2%	36	3%	36	3%	45	3%
TOTAL YO/JO	44	3%	28	2%	36	3%	36	3%	45	3%
GRAND TOTAL	1,496	100%	1,363	100%	1,406	100%	1,401	100%	1,275	100%

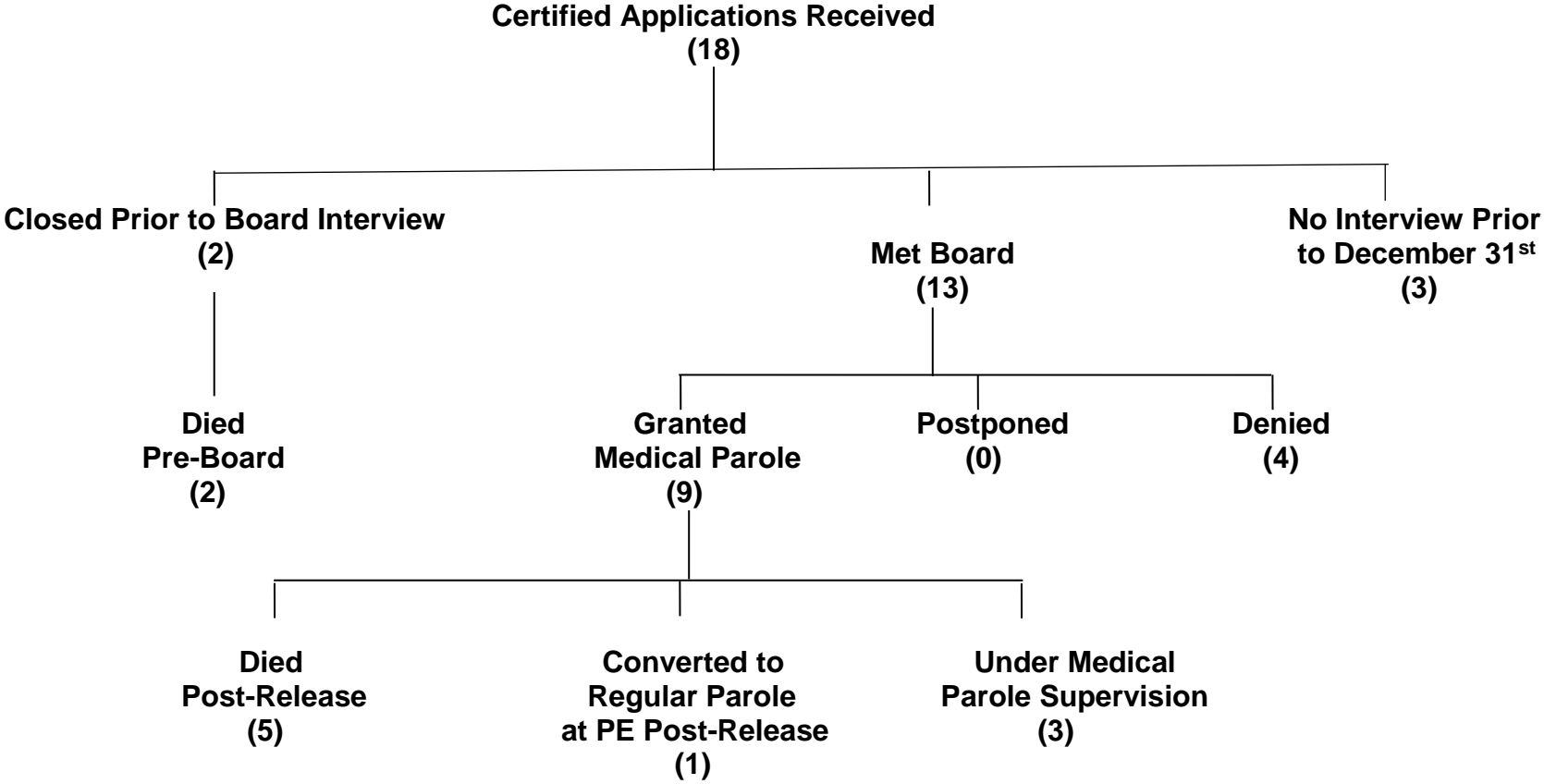
APPENDIX A

**MEDICAL PAROLE APPLICATION PROCESSING
1 JANUARY 2011 - DECEMBER 2015
AND
2 JANUARY - DECEMBER 2015**

1 - MEDICAL PAROLE APPLICATION PROCESSING
 January 2011 – December 2015



**2 - MEDICAL PAROLE APPLICATION PROCESSING
January – December 2015**



Prepared by:

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