

An Overview of Juvenile Parole Boards in the United States

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New Mexico Sentencing Commission

Juvenile Parole Boards in the United States

California

Number of Board Members:

Five member Board appointed by the Governor. Each member serves a 4-year term ending on a rotating basis. One Director who serves as Chair, is a non-voting member, and hears cases. Three civil servants serving as Board Representatives who also hear cases. Retired Board members are hired as needed to hear cases.

Payment of Board Members:

Board members are full-time employees and paid an annual salary, travel expenses, and have a state vehicle.

Staffing Levels:

Twenty employees on staff including two Analysis staff handling appeals and scheduling; five Board Coordinating Parole Agents, one Director, and Admin/Support staff.

Number of Cases Heard per Month:

Approximately 15,000 cases will be heard this fiscal year. 20 cases per day per site are heard. Cases are heard by category: 1, 2, 3 are most serious/violent and require 3 Hearing Officers; 4, 5 require 2 Hearing Officers; and 6, 7 require 1 Hearing Officer.

Juvenile cases are handled at the County level. They are escalated to the State level for the most violent offenders or that require significant treatment needs that the County can't offer.

Cases heard by State Board include an annual review of every case, disciplinary hearing if time is extended, and appeals.

Revocation Hearings:

Follow Morrissey Model

Currently juvenile violator can have a non-appearance hearing or can waive appearance for the hearing - 1 out of 5 do this.

Hearing takes place 60 days from the date of detention and most violators are detained during this period.

Counsel is provided for only about 2 % of offenders currently.

Hearing taken place before 1 hearing officer – called a referee. Present is the violator (if appearance not waived), any witnesses from both sides, and the parole officer. A decision is made to revoke parole or release on parole with more stringent sanctions.

New Carlton Order, Judge Carlton, for adults in revocation hearing stating that violator cannot waive appearance and also that offender must have an attorney present at the hearing with implementation by July 1, 2005. Juvenile department following this protocol, as they believe it's only a matter of time before they are mandated to the same regulations. Carlton order was put into effect to protect the offenders who are mentally and/or educationally challenged. Implementation of the Carlton order will be tremendous cost to the juvenile department as 1 in 5 violators waive appearance and legal representation is provided for only approximately 2% of the violators.

Colorado

Number of Board Members:

Nine Board members comprised of five citizen members and four state agency representatives. All members are appointed by the Governor and must be confirmed by the Colorado State Senate.

Payment of Board Members:

Colorado Statue provides a per diem paid to the 5 citizen Board members of \$150.00/day for any official Board business. The 4 members who represent state agencies on the board receive their normal salary for the day by their home agency. Travel expenses are paid to citizen members and state agency members put in for travel through their home agency. Total per diem cost is about \$27,000 per year.

Staffing Levels:

Staff provided by the Department of Human Services.

Number of Cases Heard per Month:

Hearings are conducted by two-person hearing panels (one state agency member and one citizen member). Panels are held in four locations around the state and each Board member participates on a rotating basis so that each conducts 2-4 panels monthly with 114 hearing panels per year. Approximately 25% of the hearings are conducted by electronic videoconference. Full Board meets monthly to review Board policies and the previous month's hearings, consider appeals of hearing panel decisions, cases that hearing panel members disagreed on, and

participate in training. Only the full Board can consider the parole of aggravated and violent juvenile offenders, and the early discharge of parolees who have progressed well during parole.

Revocation Hearings:

New Hampshire

Number of Board Members:

There are five members serving staggered five-year terms, appointed by the Governor and Executive Council.

Payment of Board Members:

All members are volunteers.

Staffing Levels:

A part-time secretary who works for the Youth Development does parole hearing scheduling, ensures the members have all the pertinent information for the hearings, and takes the record.

Number of Cases Heard per Month:

The Board meets twice a month, generally hearing three cases at each meeting.

Revocation Hearings:

New Jersey

Number of Board Members:

Two member Board serving full-time positions and appointed by the Governor.

Payment of Board Members:

Salary, state car and expenses for travel.

Staffing Levels:

Nine member staff:

Joyce Arcviniaco, Chief of Unit

3 - Hearing Officers

1 - Executive Assistant

4 - Administrative staff

Number of Cases Heard per Month:

Approximately 300 cases heard per month. Every case is reviewed by a Board member and hearings are in person. Recently have started conducting a few hearings by videoconference. Approximately 120 adults coming under the Juvenile System.

Revocation Hearings:

Juvenile entitled to two hearings. Most waive trial and go to a final revocation hearing, which cuts the turnaround time. The hearing officer presents his recommendations. Juvenile Justice Commission officers oversee the hearings. Cases are reviewed by the juvenile panel.

Juvenile can apply for a court appointed attorney however very few do this.

Post incarceration supervision equals 1/3 of the custodial term and the juveniles record is then wiped clean with post incarceration.

Inordinate amount of hearings. A large percentage of the juveniles max out their sentence before the revocation hearing.

South Carolina

Number of Board Members:

Ten member Board appointed by the Governor and approved by the State Senate. Each member represents one of six Congressional Districts with 4 at-large seats.

Payment of Board Members:

Board members receive \$200/day for hearings held 2 days each month. They also receive reimbursement for travel expenses including meals, mileage & hotel expenses. They receive \$35 for case reading and \$35 a day for any specially called meetings.

Staffing Levels:

- 12 staff members.
- 1- Director
- 2 - Administrative Support Staff
- 6 - Parole Examiners
- 2 - Victims Services Staff
- 1 - Hearings Officer

Number of Cases Heard per Month:

The Board hears approximately 150 to 175 cases each month.

Revocation Hearings:

At the time of conditional release, juveniles must be given written notice that violations of conditions of parole could result in rescission of parole.

Written notice of alleged acts must be given upon initiation of revocation or rescission proceedings.

Preliminary hearing scheduled – juvenile has right to waive hearing.

Juveniles may have legal counsel at hearings but free legal assistance is only provided at the revocation/rescission hearing.

Hearing Officer hears cases.

Juvenile's release may be rescinded by the Board if prior to the juvenile's physical release from the institution if circumstances necessitate such action. As an alternative to revocation, consideration is given to community resources, counseling, and other forms of intervention.

Utah

Number of Board Members:

Ten full-time Board members

Four part-time Board members

All appointed by the Governor and approved by the Legislature.

Payment of Board Members:

\$90 flat fee for each hearing day. Paid mileage if travel is more than 50 miles from the Board members' residence. Most hearings are in the Salt Lake City area with the exception of one hearing in the southern part of the state.

Staffing Levels:

Five staff members:

3 – Hearing Officers

2 – Admin people

Number of Cases Heard per Month:

Full-time Board members are scheduled for two hearings per month with a maximum of 12 cases per day. The average caseload is 8-9 per day.

Part-time Board members are scheduled for one hearing per month with the same maximum and averages as full-time Board members.

Three Board members are scheduled per hearing however two is OK and if only one Board member can attend the hearings proceed and decisions require the approval of the Board Chair.

Revocation Hearings:

Every juvenile in secure care is put into a 90-day transition period prior to his/her parole hearing. During the transition period identification is made as to what is needed to make the transition successful. An individual written release plan is prepared.

Most revocation hearings are due to juvenile going AWAL or less frequently, committing some violation of parole.

Steps for hearing:

- 1) Warrant for arrest is issued
- 2) Paperwork processed and file prepared stating the charges
- 3) Juvenile is appointed legal counsel
- 4) Hearing in front of Parole Board is scheduled
- 5) Juvenile has the opportunity to answer if he/she admits to the allegations
- 6) Parole Officers come with recommendations of what they want to happen

Appointed attorneys receive \$90 flat fee for the hearing and case preparation, \$30 per hour for travel and related expenses.

Approximately 3 revocations hearings per month. 1-3% of total parolees require revocation hearings, and an estimated less than 1% of Parole Board hearings.