

**ARIZONA BOARD OF
PARDONS AND PAROLES**



Use of preparator's

**ANNUAL REPORT
FISCAL YEAR 1990-1991**

ARIZONA BOARD OF PARDONS AND PAROLES

ANNUAL REPORT
FISCAL YEAR 1990-1991

HONORABLE FIFE SYMINGTON
Governor

ROBERT L. TUCKER
Chairman

Members
KATHRYN D. BROWN
ARTER L. JOHNSON
JONES OSBORN
ANNA MAY RIDDELL
FRANK R. STARTZELL
STAN F. TURLEY

FIFE SYMINGTON
GOVERNOR

MICHAEL D. GARVEY
EXECUTIVE DIRECTOR



ARIZONA
BOARD OF PARDONS AND PAROLES

1645 WEST JEFFERSON
SUITE 326
PHOENIX, ARIZONA 85007
(602) 542-5656

ROBERT L. TUCKER
CHAIRMAN

MEMBERS
KATHRYN D. BROWN
RUBEN E. CORONADO
JONES OSBORN
ANNA MAY RIDDELL
FRANK R. STARTZELL
STAN F. TURLEY

THE HONORABLE FIFE SYMINGTON
Governor of the State of Arizona

and

MEMBERS OF THE FORTIETH LEGISLATURE

* * * * *

On behalf of the Arizona Board of Pardons and Paroles, I am pleased to submit the Annual Report for Fiscal Year 1990-1991.

This report provides an organizational overview of the Board; discussion of statutory and Administrative Rule changes; and reflects statistical data of the number and types of hearings conducted in Fiscal Year 1990-1991.

This Fiscal Year was the beginning of change in the criminal code of Arizona. Upon completion of the Criminal Code and Corrections Study, the Board anticipates many changes in corrections in the state of Arizona and eventual changes in the parole system. We look forward to the challenge these changes will bring.

To successfully manage these challenges, we are keenly aware that our success is tied directly to your support and it is that support which has allowed this organization to carry out its responsibilities.

On behalf of the Arizona Board of Pardons and Paroles, I have the honor of submitting this annual report for Fiscal Year 1990-1991.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Robert L. Tucker".
Robert L. Tucker
Chairman

TABLE OF CONTENTS

	PAGE
<i>History of the Arizona Board of Pardons and Paroles.....</i>	<i>1</i>
<i>Mission Statement.....</i>	<i>1</i>
<i>Board Members and Résumés.....</i>	<i>2</i>
<i>Organization of the Arizona Board of Pardons and Paroles....</i>	<i>5</i>
<i>Organizational Chart.....</i>	<i>6</i>
<i>Fiscal Year 1990-1991 Administrative Rule Changes.....</i>	<i>7</i>
<i>Fiscal Year 1990-1991 Legislative Changes.....</i>	<i>7</i>
<i>Parole Eligibility and Decision Guidelines.....</i>	<i>9</i>
<i>Risk Assessment versus Structured Decision Making.....</i>	<i>11</i>
<i>Types of Hearings Conducted by the Board.....</i>	<i>13</i>
<i>Fiscal Year 1990-1991 Board Hearing Statistics.....</i>	<i>15</i>
<i>Past & Present Members of the Board of Pardons and Paroles..</i>	<i>17</i>

HISTORY OF THE ARIZONA BOARD OF PARDONS AND PAROLES

Since Arizona became a state, the Board of Pardons and Paroles has undergone a number of significant changes.

In 1914, the Legislature established a three-member Board with the Chairman being appointed by the Governor, and the Superintendent of Public Instruction and the Attorney General serving as the other two members.

The Board was expanded in 1966 to include five part-time members. Each member was appointed by the Governor and served a five-year term. This was amended in 1968 by the creation of a three-member, full-time Board, with members appointed by the Governor and confirmed by the State Senate. Each of the members served a three-year term.

In 1978, the Legislature increased the size of the Board to five full-time members, each serving a five-year staggered term, appointed by the Governor and confirmed by the State Senate. This action by the legislature was done in conjunction with the passage of the New Criminal Code.

In 1984, the Board was increased to its present size of seven members, each appointed by the Governor and confirmed by the State Senate, to serve full-time staggered five-year terms.

The operating authority and duties of the Board are contained in Arizona Revised Statute §31-401 and subsequent sections.

MISSION STATEMENT

The mission of the Arizona Board of Pardons and Paroles is to assure public safety by releasing only those eligible inmates who appear not to pose a threat to society and send to the Governor only those Executive Clemency recommendations which are in the best interest of the citizens of Arizona.

BOARD MEMBERS AND RESUMES

ROBERT L. TUCKER, JR., the present Chairman of the Board of Pardons and Paroles, was appointed to the Board on April 24, 1989 by Governor Mofford. He has been active in the field of Corrections for over 20 years and has previously worked as a consultant for the Pima County Correctional Volunteer Center, as a Juvenile Probation Officer and Deputy Director for the Pima County Juvenile Court and as an Adult Probation Officer and Probation Officer Supervisor for the Pima County Adult Probation Department. He has been actively involved in local, State and National corrections during his entire criminal justice career. He has a B. S. degree in Correctional Administration With Distinction from the University of Arizona and is a graduate of the National College of Juvenile Justice Management Institute and the National Institute of Corrections National Corrections Academy. His civic involvement has included service as a volunteer basketball coach and board member for the Boys Clubs of Tucson and as a board member for Amity, Inc., a Tucson based non-profit drug prevention and treatment program.

KATHRYN D. BROWN, the first Afro-American female appointed to the Board, was appointed on April 8, 1991 by Governor Symington. Ms. Brown comes to the Board with 13 years of experience with the Department of Corrections starting as a Corrections Service Officer in 1978. Ms. Brown previously worked as a Correctional Program Officer I and II and Correctional Program Supervisor in which she supervised the Adult Parole Office in eastern Maricopa County. She is a native of Arizona, born in Phoenix and raised in Phoenix, Los Angeles and Long Beach California. She attended Arizona State University and has a B.A. degree in Sociology. She is a member of the Metro Tech VIP, Law Enforcement Advisory Committee. She has given presentations at the Law Enforcement Academy to students with an interest in this field. She is also a member of National Association of Blacks in Criminal Justice, Phoenix Chapter and worked as Chair of NABCIJ 1989 training conference. Additional organizational memberships are Alpha Kappa Alpha Sorority, Inc., Delta Beta Omega Chapter and SGI International, USA, Rocky Mountain Territory, Arizona Headquarters.

ARTER L. JOHNSON, was appointed to the Board in 1978, was selected Chairman in July of 1981 to a term ending in January of 1983 and again selected as Chairman in January of 1989 to serve a term ending in January of 1991. Mr. Johnson was the Operational Manager of a statewide offender rehabilitation program under the auspices of the Department of Economic Security. During his ten years with the Model Ex-Offender Program he also served on the Board of Directors of the 7th Step, O.K. Community, B.L.K. (pilot project for older ex-offenders), and Women in Transition.

JONES OSBORN, was appointed to the Board by Governor Symington in April of 1991. He previously served 20 years in the Arizona Legislature, 17 of them in the State Senate. During his tenure in the Senate, he was continuously a member of the Judiciary Committee which handles all legislation dealing with the criminal justice system. For four of those years, he served as committee chairman. He also served as Minority Leader four years, majority whip two years, assistant minority leader two years and was vice chairman of the Committee on Education four years. Special committee assignments included the Joint Select Committee on Corrections, the Criminal Justice Planning Supervisory Committee, and the Executive Review Committee for Adult Intensive Probation Services. He is the principal author of Arizona's Sunset Law, which brings all state agencies under the scrutiny of a periodic performance audit; legislation creating RUCO (Residential Utility Consumer Office) which gave residential consumers a voice in the rate-setting process; and the Intensive Probation Services law. Prior to his legislative service, he was editor of the Yuma Daily Sun. He left the University of Arizona shortly after the attack on Pearl Harbor and served four years with the Army, two of them overseas.

ANNA MAY RIDDELL, was appointed to the Board by Governor Mofford in March, 1990. She has been involved in the field of corrections for over twelve years, beginning her career as a volunteer probation officer for the Maricopa County Juvenile Detention Center. Prior to her appointment, Mrs. Riddell was employed by the Maricopa County Sheriff's Office as the Administrator of Inmate Services where her responsibilities were that of a Division Commander overseeing all inmate educational and self-help programs, Chaplain and legal services as well as library and canteen services. She also developed and supervised the Volunteer Program which consisted of 200+ volunteers. Additionally, she worked for the Arizona Department of Corrections as a Sergeant and Correctional Services Officer and as an Adult Probation Officer with the Coconino County Adult Probation on a paid internship. She has been actively involved with local and national corrections associations during her career, holding numerous elected Board positions. Mrs. Riddell possesses a Masters Degree in Corrections and a Bachelor of Science degree in Sociology from Northern Arizona University and graduated Phi Kappa Phi. She also holds an Associates Degree in the Administration of Justice from Yavapai Community College. She has published several articles pertaining to correctional issues, as well as receiving five National Association of Counties, Program Development Awards in the last four years. Her most recent volunteer activities include serving on the Christian Education Board at her church as well as serving on the Board of the Valley of the Sun Literacy Coalition for Maricopa County. She is also the state chairperson for the Women's Task Force.

FRANK R. STARTZELL, was appointed to the Board by Governor Mecham in March, 1987. He had served the city of Phoenix for twenty-one years as an officer and police sergeant with the Phoenix Police Department. His most recent assignment involved the direction of the Reserve Bureau, a 100 member volunteer organization of reserve police officers and civilian support personnel. He has supervised such critical elements within the Department as Planning and Research, Regional Police Training Academy, Employment Services Bureau, Communications Bureau, Crime Resistance Unit and the Crime Prevention Unit. He prepared a feasibility study on the Predictability of Crime in Northeast Phoenix; A Plan for More Effective Deployment of the Phoenix Police Patrol Forces; and a management information report on the Phoenix Police Daily Dispatch Report. As an officer he served as Federal Aid Coordinator, Property and Narcotics Detective and Patrol. Mr. Startzell possesses a Bachelor of Arts Degree in Public Management. During his professional career he has been actively involved in such community interest projects as the Foster Care Review Board and the Boys' and Girls' Clubs, with an interest in the Literacy Program. Additionally, he serves on the Board of Directors for Tumbleweed.

STAN F. TURLEY, was appointed to the Board by Governor Mofford in March, 1989. He had served the citizens of Arizona for 14 years as a member of the State Senate, four of those years as Senate President and also served eight years as a member of the House of Representatives, two of those years as Speaker of the House. Mr. Turley was employed by 1st Interstate Bank in the Livestock and Agriculture Department for 19 years. He also was a self-employed farmer and rancher for 20 years. Mr. Turley served two years in the U. S. Air Corps during World War II and also served a two year mission for the Church of Jesus Christ of Latter Day Saints. He is a native of Arizona, born in Snowflake and raised on Sundown Ranch. He attended Aripine Elementary School, Snowflake High School and Brigham Young University. Mr. Turley has been married to Cleo Olson for forty-six years. They have seven children and twenty-six grandchildren.

ORGANIZATION OF THE ARIZONA BOARD OF PARDONS AND PAROLES

The seven Board Members are supported by a full-time staff of thirty-six. The staff is comprised of:

Executive Director (1 Position) - The Executive Director is responsible for the administrative, operational and financial functions for the Board.

Assistant Executive Director (1 Position) - The Assistant Executive Director is the direct supervisor of the hearing officers, case analysts and support staff.

Planner III (1 Position) - The Planner III was previously responsible for the risk assessment program for the Board, but is now responsible for implementation of structured decision making (see page 11).

Program and Project Specialist II (1 Position) - The Program and Project Specialist II works directly for the Chair of the Board and completes statistical reports, drafts policies and procedures, is the Board's legislative and Attorney General liaison, and provides research on law suits involving the Board for the Attorney General's Office.

Fiscal Services Specialist II (1 Position) - The Fiscal Services Specialist II is responsible for all personnel actions, writing and monitoring the Agencies budget, and control of expenditures of the Agency.

Hearing Officer II (4 Positions) - The Hearing Officer II positions conduct preliminary hearings for inmates certified eligible for work furlough and make recommendations to the Board, conduct probable cause hearings for rescission and revocation actions to determine if probable cause exists for a hearing by the Board, conduct courtesy hearings for inmates sentenced from another jurisdiction who are serving time in an Arizona institution, and provide information to the Board for all Executive Clemency actions.

Case Analyst (9 Positions) - The Case Analyst positions gather information and prepare reports for the Board for all inmates certified eligible for parole and home arrest.

Administrative Support Supervisor II (1 Position) and Administrative Support Supervisor I (1 Position) - The Administrative Support Supervisor II and Administrative Support Supervisor I are responsible for the supervision of the clerical staff. Additionally, the Administrative Support Supervisor II is the problem solving liaison for the Board in matters involving time computation and inmate eligibility.

Clerical Support Positions (16 Positions) - The Clerical Support staff provide clerical support to the Hearing Officer II positions, prepare packets the Board uses in making release decisions, complete dispositions and proclamations for decisions made by the Board and provide statutory mandated notifications prior to Board hearings.

```

graph TD
    Chair[Chair 251574] --- Member1[Member 251583]
    Chair --- Member2[Member 251592]
    Chair --- Member3[Member 501416]
    Chair --- Member4[Member 501425]
    Chair --- Member5[Member 546875]
    Chair --- Member6[Member 546884]
    Chair --- ExecDir[Exec Dir 533376]
    Chair --- AsstExecDir[Asst Ex Dir 546786]
    ExecDir --- FPSII[FPS II 673967]
    FPSII --- AAIII1[AA III 395959]
    FPSII --- AAIII2[AA III 395977]
    FPSII --- AAIII3[AA III 534391]
    FPSII --- AAIII4[AA III 534408]
    FPSII --- AAIII5[AA III 540728]
    FPSII --- AAIII6[AA III 540737]
    FPSII --- AAIII7[AA III 621460]
    FPSII --- AAIII8[AA III 673920]
    FPSII --- AAIII9[AA III 673949]
    AsstExecDir --- H/OII1[H/O II 395968]
    AsstExecDir --- H/OII2[H/O II 540746]
    AsstExecDir --- H/OII3[H/O II 541500]
    AsstExecDir --- H/OII4[H/O II 540755]
    AsstExecDir --- AdminSec[Admin Sec 510175]
    AdminSec --- ClTyIII[Cl Ty III 673958]
    AdminSec --- Planner[Planner 674249]
    AdminSec --- ADMSPVII[ADM SPVII 540719]
    AdminSec --- FSSII[FSS II 613520]
    AdminSec --- IPSI1[IPS I 523290]
    AdminSec --- IPSII1[IPS II 621450]
    AdminSec --- IPSII2[IPS II 621497]
    AdminSec --- IPSII3[IPS II 673869]
    AdminSec --- ADMSPVI[ADM SPV I 630727]
    AdminSec --- Sec396061[Secretary 396061]
    AdminSec --- Sec540639[Secretary 540639]
    AdminSec --- ClkTyIII1[Clk Ty III 630709]
    AdminSec --- ClkTyIII2[Clk Ty III 630718]
    AdminSec --- ClTyII[Cl Ty II 630692]
    AdminSec --- IPSI2[IPS I 673831]
    AdminSec --- IPSI3[IPS I 673840]
    AdminSec --- IPSI4[IPS I 673878]
    AdminSec --- IPSII4[IPS II 621441]
  
```

-9-

ADMINISTRATIVE RULE CHANGES IN FISCAL YEAR 1990-1991

In compliance with A.R.S. §41-1054, the Board completed the five year review of its existing Administrative Rules during Fiscal Year 1989-1990.

As a result of this review, it was determined that over 80% of the existing Rules were either no longer applicable, were a duplication of statute or had been superseded by legislative change.

During Fiscal Year 1990-1991, the Board proposed a partial repeal of the existing Administrative Rules which was certified by the Attorney General and filed with the Secretary of State on May 31, 1991.

Upon the repeal of these Rules, the Board adopted policies and procedures to govern its operations as they relate to inmates in secure custody status. This action took two years to complete and ended the first phase of the Administrative Rules project.

Phase II will require the repeal of the remaining Administrative Rules and the adoption of new Rules reflecting legislative changes since 1980.

Through the assignment of three Board Members to a subcommittee, the Board anticipates the completion of this project during Fiscal Year 1991-1992.

FISCAL YEAR 1990 - 1991 LEGISLATIVE CHANGES

Thirty Ninth Legislature - Second Regular Session

The 1990 Legislative Session resulted in several Bills having major, positive impact on the Board.

HB2349 - New Parole Board Member Training

This Bill prescribes that new Members of the Board of Pardons and Paroles shall complete a 4-week training course relating to the duties and activities of the Board. The course is designed and administered by the Chair of the Board in cooperation with the Office of the Attorney General.

HB2350 - Eligibility Requirements for Parole, Work Furlough and Home Arrest

This Bill expanded the number of inmates eligible for the home arrest program by providing that any inmate who is eligible for general parole or work furlough shall also be eligible for home arrest. The Bill also provides that any inmate eligible for parole under A.R.S. §31-233.J (early parole due to a lack of bedspace) shall also be eligible for work furlough and home arrest consideration after serving at least six months of the

sentence imposed. Additionally, an inmate who was convicted of a sexual offense shall not be eligible for work furlough under this Bill.

SB1288 - Open Meeting Laws

This Bill clarified the Open Meeting Laws as they pertain to Parole Board hearings conducted within a Department of Corrections institution. It allows easier access to the hearings by members of the public.

SB1514 - Two Member Quorum

This Bill provides that the Chair of the Board may designate that two members of the Board constitutes a quorum when conducting hearings. This does not include hearings to consider final action on executive clemency matters and business meetings necessary to administer the Board.

SB1528 - Work Furlough Notification Requirements

This Bill reduced the amount of time the Board must notify officials and the victim prior to conducting a hearing for work furlough consideration. The change now makes all notification requirements 15 days prior to conducting a hearing.

Fortieth Legislature - First Regular Session

The 1991 Legislative Session proved to be another productive year for the Board.

HB2229 - Home Arrest Fees

This Bill gave authority to the Board to reduce or set off home arrest supervision fees. This will allow inmates who cannot afford the fee to remain on home arrest thus helping to reduce prison overcrowding.

HB2231 - Absolute Discharge

This Bill clarified when the statutes are referring to an absolute discharge from imprisonment compared to an absolute discharge from parole and changed the notification requirements from 30 days prior to the hearing to 15 days prior.

HB2412 - Victims' Rights Implementation Act

This Bill is the result of an initiative passed by the voters in the 1989 general election to provide greater rights to victims of crime. The Bill prescribes the notification requirements for a victim and clarifies the officials the Board must notify prior to conducting a hearing.

PAROLE ELIGIBILITY AND DECISION GUIDELINES

Each inmate sentenced to the Department of Corrections who has not completed his/her sentence, who has been certified to the Board by the Director pursuant to A.R.S. § 41-1604.06, A.R.S. § 31-233(J), or A.R.S. § 31-411 as eligible for parole either under the provisions of A.R.S. § 31-412(A) or § 31-412(B), and who is not on parole and has not been selected for parole, is eligible to be considered for parole by the Board. No inmate who is otherwise eligible for parole will be considered by the Board unless that inmate has been certified to the Board as eligible by the Director.

The Board will consider for parole each inmate who meets the eligibility requirements as set out above. Parole under the provisions of A.R.S. § 31-412(A) will be granted in every case unless the Board is satisfied that there is a substantial probability that the inmate will not remain at liberty without committing a new offense. Parole under the provisions of A.R.S. § 31-412(B) may be granted whenever the Board is satisfied that such parole is in the best interests of the State of Arizona. In reaching the decision whether to grant parole, the Board will be guided by its knowledge of human nature and of the ways of the world and will exercise its best judgment to determine the likelihood that the inmate will remain at liberty without committing a new offense or to determine the best interests of the State of Arizona as appropriate. In reaching that decision, the Board will consider the following factors:

1. Prior History

- a) The nature of the offense for which the inmate was committed;
- b) The inmate's past history of convictions and arrests;
- c) Whether any previous supervised releases have been granted to the inmate, and if so, the result of such supervision;
- d) The inmate's history of violent acts, including those in which a weapon was used;
- e) Whether the prisoner has been diagnosed as having any mental or emotional disorder which indicates a higher than normal risk of violent or recidivistic conduct; and
- f) Whether and the extent to which the inmate has been involved in substance abuse.

2. Prison Record

- a) The inmate's pattern of conduct while incarcerated, including any changes in that pattern;
- b) The inmate's custody level at the time of consideration;
- c) Whether the inmate has held a job or jobs while imprisoned, and if so, the degree of trust associated with those jobs together with the length of time that the job or jobs were held, and the inmate's performance record;
- d) Whether the inmate has participated in any educational or training programs while imprisoned, and if so, the prisoner's performance record in the program and whether it was successfully completed;
- e) The inmate's record of discipline while imprisoned, including the extent to which earned time credits have been forfeited;
- f) The presentation, conduct and demeanor of the inmate during any appearance before the Board; and
- g) Whether the inmate has participated in any appropriate counseling programs while imprisoned, and if so, whether they were successfully completed.

3. Forward View

- a) The willingness of the inmate to participate in rehabilitative programs if parole is granted;
- b) The inmate's possibility of securing and maintaining employment and job opportunities if granted parole; and
- c) Whether the inmate has any medical problem which would benefit from long term treatment away from a correctional institution.

In each particular case, the Board may also consider any other factor which it believes reflects on the likelihood that the inmate will remain at liberty without committing a new offense or on the best interests of the State of Arizona as appropriate. The Board retains complete discretion as to when to grant parole in each individual case and as to the weight to be given each factor in reaching its decision.

RISK ASSESSMENT versus STRUCTURED DECISION MAKING

RISK ASSESSMENT:

The Risk Assessment Model was developed by Daryl Fischer, Ph.D. in his home state of Iowa, then modified to become the Arizona Model. It was in developmental and validation stages during 1985 and 1986, then used as a tool to assist in decision making for Board Members. It was utilized from July 1986 until August 1988 when Dr. Fischer left the agency.

Risk assessment was reinstituted in September 1989 for the October 1989 hearings held by the Board. These initial assessments only covered those inmates certified as eligible for parole under A.R.S. §31-233.I. By June 1990, another group was added, those certified as eligible for work furlough. In January 1991 those certified eligible for regular parole were added to the risk assessment workload.

Serious problems existed in the data collection system, so that staff were not able to fully implement the risk assessment model for all inmates certified to be heard by the Board.

Following a recommendation from the Auditor General's report of the agency, the Board held a meeting on January 18, 1991 to discuss the value of risk assessment in detail, and voted at its regular monthly business meeting one week later to end risk assessment after the work for February's hearings was completed. The Board preferred staff time to be devoted on development of a structured decision making model, which would incorporate a form of risk assessment as a component. The Board was awarded a short term grant from the National Institute of Corrections to become familiar with structured decision making.

During the 17 month revival of the model, 10,396 decisions of release were made by the Board, while only 3,547 cases (34%) had risk assessments completed.

STRUCTURED DECISION MAKING:

Structured decision making is a set of guidelines that reflect the release policies of the Board. It is a tool to enhance the quality of decisions, but does not eliminate the discretionary powers of the Board. The establishment of guidelines will lead to consistency in release decisions so that every inmate considered for release will be assured of an equitable and fair hearing. Each Board Member's values become part of the release decision formula. Decisions that fall outside of the guidelines will be explained in writing. This process improves the Board's accountability and makes its decisions more understandable and defensible.

The guidelines are developed by using a consensus method of identifying group opinion. Policy issues involved include, but are not limited to, clarifying the mission of the agency,

defining the Board's role in offender sanctioning, specifying the criteria used to review cases, assigning a relative weight to the decision factors, and establishing procedures to monitor the effects of this system.

The specific criteria utilized in the guidelines are determined by past experience, validated criminal justice/social science research, and the Board's judgement of what components directly impact the potential for success on parole. The technical aspect of weighting each factor by its relative importance is also developed and modified based on the previously listed factors. Through effective and frequent monitoring of release decision outcomes and recidivism rates, the guidelines evolve to meet the needs of current Board Members and reflect current criminal justice principles.

The Board anticipates implementation of this project during Fiscal Year 1992 - 1993.

TYPES OF HEARINGS CONDUCTED BY THE BOARD

GENERAL PAROLE (A.R.S. §31-412.A) A conditional release from incarceration which entitles the parolee to serve the remainder of his term outside the confines of a penal institution if he satisfactorily complies with all the terms and conditions provided in the parole order.

PAROLE TO A CONSECUTIVE SENTENCE OR ANOTHER JURISDICTION (A.R.S. §31-412.B) A mechanism to parole an inmate to a consecutive sentence to be served in an institution or parole to another jurisdiction.

PAROLE DUE TO A LACK OF PRISON BED SPACE (A.R.S. §31-233.J) A conditional release from incarceration before the inmate has reached his general parole eligibility date. This type of release consideration is used when there is a lack of bed space within the Department of Corrections institutions. An inmate eligible for release under this statute may be considered for parole, home arrest or work furlough.

HOME ARREST PROGRAM (A.R.S. §31-236) A program for those inmates who are eligible to complete their prison sentence in the community. The Home Arrest program is a restrictive program designed to confine an inmate to his residence using active electronic monitoring surveillance and the supervision of a Home Arrest officer. A person in the Home Arrest Program is under inmate status and subject to all of the rules and regulations of the Department of Corrections. Except for authorized movements out of the residence, such as employment and mandated treatment programming, the inmate is confined to his residence.

WORK FURLOUGH (A.R.S. §31-233.C) A release from prison which allows the inmate to maintain gainful employment and pay restitution to the victim of his offense.

ABSOLUTE DISCHARGE (A.R.S. §31-411, §31-414) There are two types of absolute discharge actions the Board may take. One is absolute discharge from an institution pursuant to A.R.S. §31-411. Also, the Board may discharge a person from parole supervision prior to the expiration date of the parole pursuant to A.R.S. §31-414. Generally, the Parole Division of the Department of Corrections recommends the discharge to the Board because of exceptional performance while on supervision.

PARDON (A.R.S. §31-441, §31-442, §31-443, §31-444, §31-445, §31-446) An act of grace or a remission of guilt, which absolves the convicted felon of the legal consequences of his crime and conviction. A full pardon restores those civil rights (except the right to bear arms) which may have been lost as a

result of the conviction for which the pardon is granted. A pardon cannot be granted by the Governor unless it has first been recommended by the Board.

REPRIEVE (A.R.S. §31-443, §31-444, §31-445, §31-446) A delay or temporary suspension of the carrying out of a punishment. The Governor may only grant a reprieve upon written recommendation of the Board (A.R.S. §31-402).

COMMUTATION OF SENTENCE (A.R.S. §31-411, §31-443, §31-445, §31-446) A change or modification of a sentence imposed by the court. The Board assumes that sentences imposed by the court are fair and correct; however, sometimes circumstance occur during incarceration which indicate that justice would be better served if a commutation were recommended to the Governor.

COURTESY HEARINGS (A.R.S. §31-473) Upon request from another state, the Board conducts courtesy hearings for inmates from other states incarcerated in Arizona and submits reports and findings to the requesting jurisdiction.

RESCISSION A withdrawal of an action previously granted by the Board before the inmate actually enters the action status.

REVOCATION (A.R.S. §31-415, §31-416, §31-417) A withdrawal of an action previously granted by the Board after the inmate has entered the action status.

MODIFICATION A hearing held to determine if conditions of release should be modified or changed. A modification hearing is usually held at the request of a parole officer.

FISCAL YEAR 1990-1991 SUMMARY RECAP REPORT

TYPE OF HEARING	# GRANTED	%	# DENIED	%	TOTAL
31-411, 31-414	18	78.3%	5	21.7%	23
31-412.A	322	41.5%	454	58.5%	776
31-412.A/B	13	33.3%	26	66.7%	39
31-412.A/31-236	1,290*	36.2%	2,269	63.8%	3,559
31-412.B	228	40.0%	342	60.0%	570
31-233.I	36	54.5%	30	45.5%	66
31-233.J	323	34.5%	612	65.5%	935
MULTIPLE CERTIFICATIONS	191	48.7%	201	51.3%	392
SUBTOTAL	2,421	38.1%	3,939	61.9%	6,360
BOARD REVIEW	835	N/A	N/A	N/A	835
WORK FURLOUGH REVIEW	283	22.4%	982	77.6%	1,265
TOTAL	3,539	41.8%	4,921	58.2%	8,460
	ACTION TAKEN		ACTION NOT TAKEN		TOTAL
RESCISSION	23	85.2%	4	14.8%	27
REVOCATION	578	91.3%	55	8.7%	633
TOTAL	601	91.1%	59	8.9%	660
	CLEMENCY RECOMMENDED		CLEMENCY NOT RECOMMENDED		TOTAL
PARDON	18	69.2%	8	30.8%	26
REPRIEVE	0	0 %	1	100.0%	1
COMMUTATION OF SENTENCE	19	35.2%	35	64.8%	54
TOTAL	37	45.7%	44	54.3%	81
	CONDITIONS AMENDED		CONDITIONS NOT AMENDED		TOTAL
AMENDMENT OF CONDITIONS	36	97.3%	1	2.7%	37

* Three inmates were granted absolute discharges

**SUMMARY OF DECISIONS MADE BY THE BOARD BY INSTITUTIONAL FACILITY
FISCAL YEAR 1990-1991**

FACILITY	#	GRANTED	%	#	DENIED	%	TOTAL
31-411, 414	18	78.3%		5	21.7%		23
IN-ABSENTIA	38*	38.0%		62	62.0%		100
DOUGLAS	320	34.0%		622	66.0%		942
FLORENCE	421*	29.9%		988	70.1%		1,409
FORT GRANT	191	46.7%		218	53.3%		409
PERRYVILLE	341	37.6%		565	62.4%		906
PHOENIX	367*	50.1%		366	49.9%		733
SAFFORD	146	46.6%		167	53.4%		313
TUCSON	340	37.1%		576	62.9%		916
WINSLOW	168	37.3%		282	62.7%		450
YUMA	71	44.7%		88	55.3%		159
TOTAL	2,421	38.1%		3,939	61.9%		6,360

* One inmate was granted an absolute discharge

PAST MEMBERS OF THE ARIZONA BOARD OF PARDONS AND PAROLES

<u>MEMBER'S NAME</u>	<u>APPOINTED</u>	<u>RE-APPOINTED</u>	<u>TERM</u>
W.W. Witt	1966	--	1966-67
Donald Welker	1966	1968	1966-73
William P. Reilly	1966	--	1966-70
A. Alan Hanshaw	1966	--	1966-71
Peter Byrne	1966	--	1966-69
Art Van Haren	1967	--	1967-72
Walter Michaels	1969	1971	1969-73
Abraham Cruz	1969	1971	1969-74
Keith Edwards	1969	1972	1969-75
Walter Jacobs	1971	--	1971-75
Daniel Simmons	1973	1976	1973-78
Olive O'Kier	1974	--	1974-75
Barnetta Anderson	1975	--	1975-78
Robert L. Araza	1975	1978, 1981	1975-85
Jerry Thompson	1978	1979	1978-80
Carol Pavilack	1978	1980	1978-81
John J. Sloss	1978	1982	1978-87
Richard M. Ortiz	1981	1985	1981-89
Patricia V. Gilbert	1983	1985	1983-89
Robert W. Kennerly	1984	--	1984-88
Ron Johnson	1984	1987	1984-89
Ray R. Flores	1986	--	1986-90
Robert L. Araza	1989	--	1989-90
Luis M. Vega	1989	--	1989-91

PRESENT MEMBERS OF THE ARIZONA BOARD OF PARDONS AND PAROLES

<u>MEMBER'S NAME</u>	<u>APPOINTED</u>	<u>RE-APPOINTED</u>	<u>TERM</u>
Frank R. Startzell	1987		1987-92
Jones Osborn	1991		1991-92
Stan F. Turley	1989		1989-93
Arter L. Johnson	1978	1984, 1989	1989-94
Robert L. Tucker	1989		1989-94
Anna May Riddell	1990		1990-95
Kathryn D. Brown	1991		1991-96

