

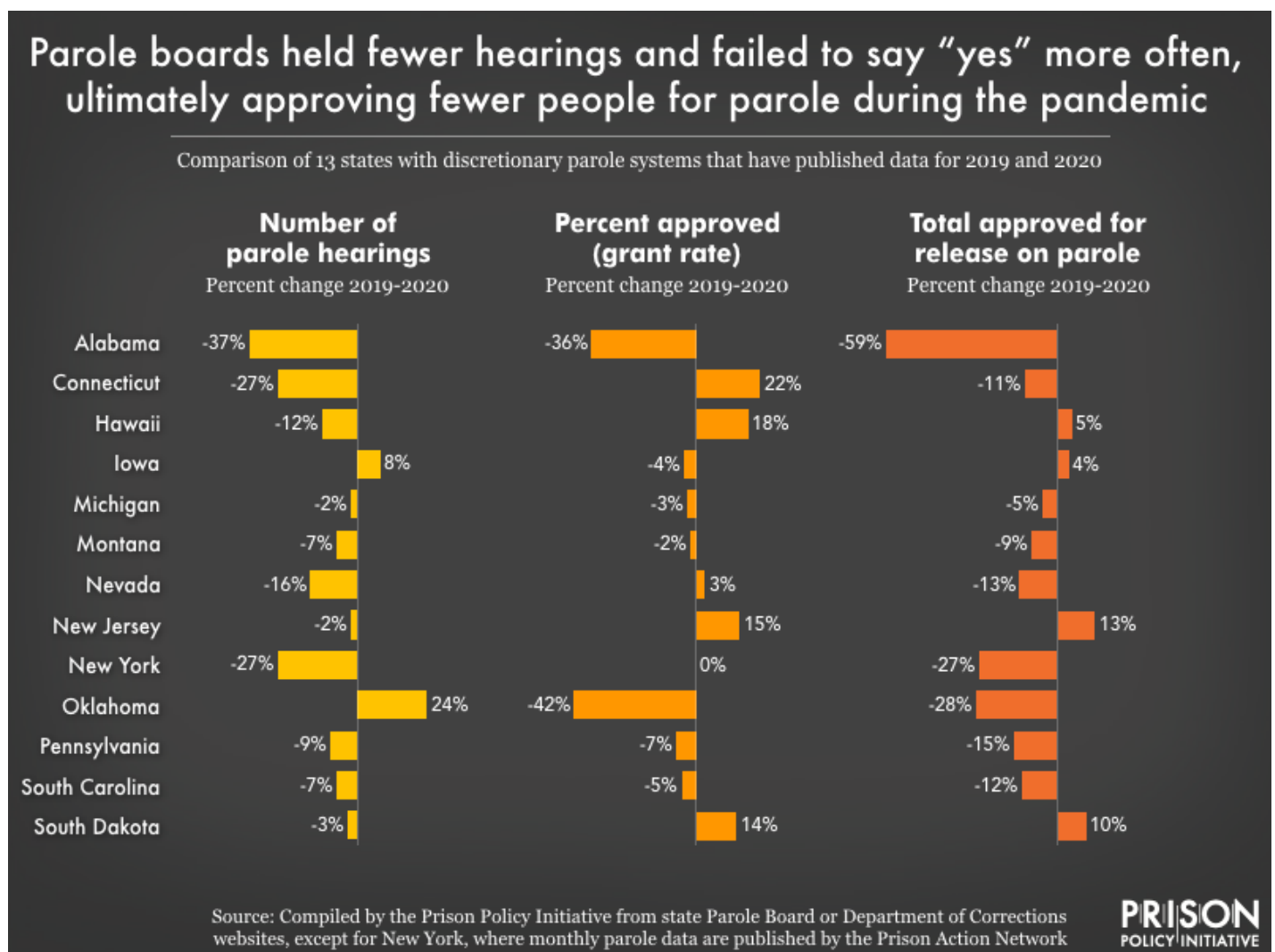
Parole boards approved fewer releases in 2020 than in 2019, despite the raging pandemic

Instead of releasing more people to the safety of their homes, parole boards in many states held fewer hearings and granted fewer approvals during the ongoing, deadly pandemic

by Tiana Herring, February 3, 2021

Prisons have had 10 months to take measures to reduce their populations and save lives amidst the ongoing pandemic. Yet our comparison of 13 states' parole grant rates from 2019 and 2020 reveals that many have failed to utilize parole as a mechanism for releasing more people to the safety of their homes. In over half of the states we studied—Alabama, Iowa, Michigan, Montana, New York, Oklahoma, Pennsylvania, and South Carolina – between 2019 and 2020, there was either no change or a decrease in parole grant rates (that is, the percentage of parole hearings that resulted in approvals).

Granting parole to more people should be an obvious decarceration tool for correctional systems, during both the pandemic and more ordinary times. Since parole is a preexisting system, it can be used to reduce prison populations without requiring any new laws, executive orders, or commutations. And since anyone going before the parole board has already completed their court-ordered minimum sentences, it would make sense for boards to operate with a presumption of release. ^① But only 34 states even offer discretionary parole, and those that do are generally not set up to help people earn release. Parole boards often choose to deny the majority of those who appear before them.



Of the 34 states with discretionary parole, we were able to find parole data for both 2019 and 2020 for these 13 states. Four states – Alabama, Hawaii, Iowa, and New Jersey – report their parole data by the fiscal year instead of the calendar year. Thus, the impact of the pandemic on parole releases may appear less extreme in these four states. (Fiscal Year 2020 data from Alabama reflects hearings held between Oct 1, 2019 and Sept 1, 2020, while Fiscal Year 2020 data in the other three states reflects hearings held between July 1, 2019 and June 30, 2020.) We’ve still included these states, however, as they capture early parole responses to the pandemic.

We also found that, with the exception of Oklahoma and Iowa, parole boards held fewer hearings in 2020 than in 2019, meaning fewer people had opportunities to be granted parole. This may be in part due to boards being slow or unwilling to adapt to using technology during the pandemic, and instead postponing hearings for months. Due to the combined factors of fewer hearings and failures to increase grant rates, only four of the 13 states – Hawaii, Iowa, New Jersey, and South Dakota – actually approved more people for parole in 2020 than in 2019.

Denying people parole during a pandemic only serves to further the spread of the virus both inside and outside of prisons. As the number of cases and deaths in prisons due to COVID-19 continue to rise, parole boards still have the opportunity to help slow the spread of the virus by releasing more people in 2021.

Number of parole hearings, percent approved for release, and number of approvals, 2019 and 2020

| States | 2019 Number of parole hearings | 2020 Number of parole hearings | 2019 Percent approved (grant rate) | 2020 Percent approved (grant rate) | 2019 Total approved for release on parole | 2020 Total approved for release on parole |
|---------------------------|--------------------------------|--------------------------------|------------------------------------|------------------------------------|---|---|
| Alabama | 4,270 | 2,704 | 31% | 20% | 1,337 | 544 |
| Connecticut | 1,703 | 1,247 | 50% | 61% | 848 | 758 |
| Hawaii | 2,923 | 2,582 | 26% | 31% | 768 | 803 |
| Iowa | 13,385 | 14,502 | 34% | 33% | 4,527 | 4,724 |
| Michigan | 12,483 | 12,218 | 73% | 71% | 9,075 | 8,642 |
| Montana ^② | 2,966 | 2,748 | 38% | 37% | 1,113 | 1,013 |
| Nevada | 6,873 | 5,786 | 67% | 69% | 4,601 | 4,000 |
| New Jersey | 5,453 | 5,329 | 47% | 54% | 2,571 | 2,899 |
| New York | 8,378 | 6,141 | 47% | 46% | 3,919 | 2,852 |
| Oklahoma | 3,314 | 4,125 | 42% | 24% | 1,407 | 1,008 |
| Pennsylvania ^③ | 18,209 | 16,599 | 60% | 56% | 10,884 | 9,244 |
| South Carolina | 3,051 | 2,831 | 36% | 34% | 1,089 | 961 |
| South Dakota | 1,729 | 1,675 | 44% | 51% | 769 | 849 |

Footnotes

1. It's important to note that people released on parole are not truly free, and complete the remainder of their maximum sentences on community supervision. There are many problems with community supervision, including that it sets people up to fail with strict conditions and intense surveillance. But in the context of the pandemic where mitigation efforts like social distancing are virtually impossible inside of prisons, it is generally safer for people to be released into a flawed community supervision system than to remain behind bars.

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2. We calculated Montana's parole numbers by 2019 and 2020 calendar year, using the official list of decisions for each month published by the Montana Board of Pardons and Parole. However, the Montana Department of Corrections' 2021 biennial report notes the total

number of parole hearings, number of approvals, and number of denials, broken down by fiscal year. Here, the DOC reports a much higher grant rate, which we were unable to replicate using the monthly data from the Board of Pardons and Parole.


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3. Pennsylvania Act 115 (2019) reduced the number of people eligible for parole hearings by creating presumptive release for some people serving sentences of two years or less. The Act likely contributed to the drop in parole hearings and total approvals in Pennsylvania in 2020.

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One response:

1.  Alicia Coxwell says:
February 4, 2021 at 1:40 pm

It is very much a problem in the state of Alabama. My son has done 13 years of a 16 year sentence and was denied parole on February 2. It is not fair and it's so unconstitutional how they have to live. Most of the inmates don't even think they will make it through the day. The violence is unthinkable. I thought somewhere in the constitution was Due process!! Alabama needs a new justice system all the way around!! There is NO justice in the state of Alabama.

[Reply](#)