



TESTIMONY OPPOSITION H7205 “SENTENCING RECONSIDERATION ACT

Post conviction relief is a separate option for inmates unrelated to the parole board. Post conviction relief comes into play when there’s new evidence in the case that would possibly exonerate an individual. The parole board doesn’t get into evidence or the legal matters of a case. They assume the inmate is guilty as charged, but an inmate can use parole for early release when they demonstrate rehabilitative efforts or for compassionate releases due to age or medical conditions.

For our courts to overreach appointed department heads to promulgate such actions described in “The Reconsideration Act” regarding evaluation and rehabilitative review, would be “overreach”. It serves to only duplicate that which is already afforded to convicted felons by the parole board. This act if passed will clog the court system and be costly to taxpayers.

I would also be concerned that judicial bias would come into play as “judge shopping” for whomever would offer the best post-conviction relief package would determine the outcomes of many cases.

Let me explain Point by Point how we are simply revisiting every step and measure of a process by our Parole Board that already exists of “Post Conviction Relief” to inmates.

1, Inmates are already able to file for post-conviction relief if new evidence arises in their case or if new laws are passed that could be retroactively applied to them.

2. Evaluation of rehabilitative efforts of inmates is currently addressed by our Parole Board

3. No inmate other than those serving life or some with habitual offender sentences will ever serve more than 1/3 of sentences are eligible to see the parole board after 10 yrs. Even if 1/3 of their sentence would be longer than that.

5. Inmates can write to the parole board for another reconsideration anytime after they have hit the initial eligibility date, 1/3 of sentence served, they can write to the parole board anytime and the parole board can see them any time after that initial date 1/3 is reached.

6. The Parole Board has liberal discretion of reconsideration dates and denials of inmates.

7. The Parole Board already gives special consideration to inmates convicted as juveniles, “youthful offenders” and medical or geriatric parole for compassionate releases.

Finally, and most importantly victims who are repeatedly revictimized through attending and testifying at parole hearings will be subjected to court hearings once again.

Our criminal justice system is currently taking a tremendous toll on victims. The focus of resources and rights of criminals is often surpassing that of victims.

One would wonder if the collective goal of this Act involves recreating our current criminal justice system to the liking of certain inmate advocacy groups and politicians. Which many feel is the current national trend.

It certainly does not benefit the needs of victims, their families, friends or communities who fight for them.

Respectfully , Carolyn Medeiros Executive Director Alliance for Safe
Communities