

H A R L A N   R I C H A R D S

February 21, 2017

Be Careful What You Wish For . . .

About a year ago I wrote a blog entitled "Abolish the Wisconsin Parole Commission." I suggested that the commission be eliminated and that prisoners be released when they became parole-eligible unless current, credible facts establish that the person is a risk to the public.

Under sec. 971.17(4)(d), stats., when a person is committed to a mental institution after being found not guilty by reason of mental disease or defect, he or she can petition a court for release once every 6 months. "The court shall grant the petition unless it finds by clear and convincing evidence that the person would pose a significant risk of bodily harm to himself or herself or to others or of serious property damage if conditionally released." Let a court decide if a prisoner is a risk based on objective criteria.

However, in Gov. Walker's current budget, he has proposed eliminating the parole commission altogether and assigning paroling authority to a staff member in the Bureau of Offender Classification and Movement (BOCM). It will not alleviate the worst problem with the parole commission - its use of unbridled discretion to deny release on parole for any reason or no reason at all. Paroling authority will be vested with an anonymous bureaucrat deep within the bowels of the DOC - answerable to no one. This will sound the death knell for parole in Wisconsin. Those of us still in prison who do not have mandatory release dates will never be released from prison.

When I came to prison in 1984, the average time served by lifers before release was 13-15 years. Now, 30 years is considered early release. Had my parole been considered under the standards in effect when I came to prison, I would have been released years ago. Now, I face the prospect of dying in prison - not because I'm a risk to anyone but because Gov. Walker's ideology mandates that outcome.

I urge everyone reading this blog to attend the WISDOM rally scheduled on March 30th and speak out against this latest move by Gov. Walker.