



Please Note: The information contained in this Glossary is not intended as legal advice in any individual's case. There are many exceptions and variations in the parole consideration process. If you have questions, please consult with an experienced parole attorney.

GLOSSARY OF COMMON TERMS

This Glossary is intended to help you understand the key terms used in California's Board of Parole Hearings process.

TERM	DEFINITION
Administrative Review	Administrative Review is an automatic process initiated by the Board that can shorten a person's three-year denial to an 18-month denial. If a person is denied for three years, their most recent CRA was a "low" or "moderate" risk, they continue to program, and they receive no new discipline, the Board will automatically review their case 11 months after they were denied parole. If the Board decides to administratively advance the hearing, the hearing will be scheduled 5-6 months from the date of the advancement. The Board Administrative Review process, in effect, turns three-year denials into 18-month denials.
Board-Appointed (Panel) Attorney	A Board-Appointed Attorney is an attorney who is appointed by the Board to legally represent parole applicants in their parole hearings. Every person that goes before the Board is entitled to be represented by an attorney. An attorney will be provided by the state if the person cannot afford to hire their own attorney. <i>If you would like more information about Board-Appointed Attorneys,</i>

	<i>write back and request our resource titled, “How to Work with Your Parole Attorney.”</i>
Board of Parole Hearings (Board)	The California Board of Parole Hearings (“the Board” or “BPH”) is an executive agency housed within CDCR that conducts parole hearings for people who are currently incarcerated and seeking release on parole.
Causative (or contributing) factors	<p>A causative factor is an “external event” or experience that contributes to who a person is at any given point in time. At a hearing, it is important to explain how these external factors impacted who you were at the time of the life crime.</p> <p>Potential causative factors include: substance abuse, gang membership, criminal thinking, anger leading to violence, domestic violence, unhealthy relationships, and codependency. These develop in response to traumatic events like: abandonment, rejection, abuse (physical, emotional, or sexual), or issues in relationships with parents or siblings.</p>
Character Defects/negative character traits	A character defect or negative character trait is a way of being that can cause conflict, harmful or criminal behavior, or violence. People often develop negative character traits in response to an unmet need or trauma from their past, usually from their childhood. The negative character trait develops as a way to cope with those unmet needs or traumas. For example, a child who is abused a lot may end up becoming very aggressive and violent as a teenager to avoid being victimized again. Even

	<p>though this character trait is negative and unhealthy, it is something that helps the person feel safer in the world. At the same time, this trait causes harm to the person and the people around them. At the hearing, it is important to explain (1) how and why the negative character trait developed, (2) how it showed up during the life crime and any prison discipline, and (3) what tools a person has developed to overcome this negative character trait.</p>
<p>Closing Statement</p>	<p>Closing statements are the final statements made during a parole hearing. The District Attorney, attorney of the person seeking parole, and the person seeking parole are all allowed to make closing statements. Closing statements are typically limited to 10 minutes, but often can and should be much shorter. It is a good idea to write the closing statement in advance of the hearing and read it aloud during the hearing.</p>
<p>Commissioner</p>	<p>A Commissioner is someone who is appointed by the Governor to conduct parole suitability hearings and related hearings. There are 21 Commissioners on the Board of Parole Hearings. Commissioners are appointed to the Board of Parole Hearings by the Governor and approved by the California State Senate for three-year terms. Many Commissioners have backgrounds as law enforcement, correctional officers, prison wardens, and district attorneys.</p>
<p>Comprehensive Risk Assessment (CRA)</p>	<p>A CRA interview is an interview evaluation that is completed by a psychologist who is hired by the Board of Parole Hearings. The interviews typically take 1-3 hours. The psychologist will typically ask</p>

<p>interview</p>	<p>questions about a person’s social history, life crime, post-conviction factors, and parole plans. They will also conduct psychological assessments using different psychological tools. The stated purpose of the interview is to determine the interviewee’s current potential risk for committing future violence, which will be presented as one of three levels on the CRA: low, moderate, or high relative to other people with long-term sentences and people on parole.</p>
<p>Comprehensive Risk Assessment (CRA) report</p>	<p>The CRA report is a written report by the psychologist who conducted the CRA interview. The report is based on the CRA interview and a review of a person’s prison records (including SOMS and the Central File/”C-File”). The Board uses the CRA report to evaluate a person’s potential for committing future violence (rated low, moderate, or high by the psychologist) and to determine which factors are present that reduce this risk if the person is released from prison into the community. <i>If you would like more information about CRAs, write back and request our resources titled, “How to Prepare for A Comprehensive Risk Assessment” and “How to Challenge a Comprehensive Risk Assessment.”</i></p>
<p>Coping Mechanisms</p>	<p>Coping mechanisms are the healthy tools that you use to deal with stressful situations or triggers in order to prevent a relapse into a target behavior such as substance use, criminal thinking, or anger leading to violence. Coping mechanisms are the specific actions that you take – and will continue to take – when you experience an internal or external</p>

	<p>trigger. Healthy coping mechanisms help you to manage stressful events while maintaining your emotional health and well-being. Examples of healthy coping mechanisms are exercising, journaling, meditating, engaging in breathing exercises, reaching out to someone for support, or staying connected to spiritual practices.</p>
Criminal Thinking	<p>Criminal thinking is a thinking pattern in which a person gives themselves permission, through justification or rationalization, to engage in criminal behavior. Criminal thinking is not only about doing illegal things or breaking the rules – it can also show up in more subtle ways like bending a rule, allowing someone in your presence to commit a crime, or taking a shortcut. Common criminal thinking patterns include: the victim stance – when a person blames others for a situation they created; the good person stance – when a person justifies their criminal behavior by thinking it is not as bad as other people’s behavior, or it is actually doing some good; and the unique person stance – when a person thinks no one else has ever experienced anything like they have and therefore the rules do not apply to them or their situation.</p>
Denial of Parole	<p>A denial of parole occurs when the Board determines that a person poses a current, unreasonable risk of danger to society and is unsuitable for parole. In making this determination, the Board decides how long the denial should be. Denials are for three, five, seven, ten, or fifteen years in the future.</p>

Deputy Commissioner	Deputy Commissioners are attorneys and administrative law judges who are employed by the Board of Parole Hearings. A Deputy Commissioners, along with a Commissioner, are on parole hearing panels to determine an individual’s suitability for parole.
Elderly Parole	<p>Elderly Parole is a program that provides some people who are over 50 and have served 20 years or more of their sentence, an opportunity to go before the parole board with special considerations based on their elderly status. The Elderly Parole Program applies to people with both indeterminate or determinate sentences, but does not apply to people who have been sentenced to life without parole or death.</p> <p>The same general procedures and legal standards that apply to regular parole suitability hearings apply to Elderly Parole hearings, but for all Elderly Parole hearings, the Board must consider how age, time served, and diminished physical condition, if any, have reduced the elderly person’s risk of future violence. The Board’s psychologists also must take a person’s eligibility for Elderly Parole into consideration when conducting their Comprehensive Risk Assessment (CRAs). Once a person is eligible for Elderly Parole, their elderly status must be considered at all of their remaining parole hearings and CRAs.</p>
External triggers	External triggers are situations or circumstances that might result in a relapse to a target behavior. Sometimes, external triggers are environments,

	<p>people, or places that remind you of the target behavior. Common external triggers like this are: people you used to engage in your target behavior with, environments you used to engage in your target behavior in, situations that cause you to think about/want to engage in your target behavior, or things associated with a target behavior. For example, the smell of cannabis may remind someone with a substance use disorder of their former cannabis use, making them want to use again. External triggers can also be associated with trauma or external situations in which your internal triggers may arise. For example, someone who's parent would yell at them before physically abusing them may grow up to associate being yelled at with shame, anger, and or/powerlessness, and therefore may be more likely to react to being yelled at with physical violence.</p>
Gang Mentality	<p>Gang mentality is a form of thinking that is shaped by the values, beliefs, and codes of gangs. It can be rooted in the trauma that is experienced in communities that suffer from poverty, racism, drugs, and violence (both interpersonal and state violence). There are many different forms of gang mentality, but generally, gang mentality supports the belief that crimes and violence are pathways to power, control, and status both inside and outside the gang.</p>
Internal Triggers	<p>Internal triggers are thoughts and feelings that become so overwhelming they cause a person to resort to their target behavior in order to cope. Internal triggers are often very painful feelings that</p>

	<p>someone experienced in childhood that made them unable to cope in a healthy or positive way. One way to think about internal triggers is that they are the difficult feelings that caused you to develop the target behavior in the first place. You can begin brainstorming your internal triggers by answering the following question: What were the painful feelings and thoughts you were trying to cope with, or escape from, by using your target behavior? Common internal triggers are feelings of: shame, insecurity, abandonment, rejection, grief, and lack of control.</p>
<p>Insight</p>	<p>There is no legal definition for insight found in any parole-related regulation or statute. However, insight is a key factor the Board relies on when determining whether a person is suitable for parole. The closest the courts have come to defining insight is in <i>In re Shaputis</i> (2011) 53 Cal.4th 192. In <i>Shaputis</i>, the court found that when determining insight, the Board can consider the parole applicant’s past and present attitude toward the crime, their presence of remorse, and their understanding the nature and magnitude of the offense. <i>If you would like more information about developing insight, write back and request our resource titled, “Parole Preparation Questions.”</i></p>
<p>Parole Plans</p>	<p>Parole plans are detailed plans in which parole applicants outline what their lives will look like after being released. The Board expects individuals to have realistic, detailed, well thought-out plans that include where the individual will live, how they will support themselves financially, and how they</p>

	<p>will guarantee that they will not relapse into the target behaviors that led them to prison. In an individual’s parole plans, the Board puts particular focus on a person’s living arrangements, employment opportunities, continued programming upon release, and support network. Parole plans should be submitted to the Board in advance of a parole hearing when possible. <i>If you would like more information about parole plans, write back and request our resource titled, “How to Write a Parole Plan.”</i></p>
Petition to Advance (PTA)	<p>A Petition to Advance (PTA or 1045A) is a way for those who have been denied parole for any length of time to potentially go back to the Board earlier than their original denial length. A PTA must show a change in circumstances or new information that creates a reasonable (practical/realistic) likelihood that they do not require more years of incarceration prior to their next parole hearing. A PTA can only be submitted once every three years. For this reason, if someone was denied parole for three years, it is best to wait until the Administrative Review process has been completed before filing a PTA, so that a PTA opportunity is not wasted. If a PTA is filed and granted, the Board typically lessens the parole denial to the next lowest parole denial length. For example, a five-year denial turns into a three-year denial, or a seven-year denial turns into a five-year denial. <i>If you would like more information about PTAs, write back and request our resource titled, “How to Write a Petition to Advance.”</i></p>

Post-Conviction Factors	Post-Conviction factors include <i>everything</i> from when the life crime was committed to the present suitability hearing. It covers all of a person’s programming, disciplinary history, education, and work history while incarcerated.
Postponement	<p>A postponement is when an individual’s hearing is delayed and set for a future date. The Board can postpone a hearing on its own motion, or at the request of an individual.</p> <p>The Board can only postpone a hearing due to: (1) unavailability of the hearing panel, (2) the absence or untimeliness of documents or accommodations for the parole applicant, or (3) for “exigent,” or pressing circumstances like institutional emergencies or illness. An individual can request postponement for other reasons if they can show: (1) good cause (inability to obtain documents or information despite diligent efforts), and (2) did not and could not have known about the need for a postponement earlier than when they requested the postponement. Postponements can occur on the day of a hearing, or sometimes are requested days/weeks ahead of time. Most often, postponements are initiated by the Board for emergencies.</p>
Relapse Prevention Plan (RPP)	A Relapse Prevention Plan (RPP) is a written document that details a parole applicant’s plan for avoiding relapse into a certain target behavior, such as criminal thinking or anger leading to violence, that was present when they committed the life crime or other disciplinary misconduct. While an RPP is

	<p>not required by the Board, it can be a very important document for a person to demonstrate their awareness of their triggers, as well as their ability to cope in healthy ways. An RPP should show the Board that a person has reflected on their past problematic thinking patterns and/or behaviors and now has the coping skills to prevent returning to those thinking patterns and behaviors in the future – both while in prison and if released. It can be very impactful to prepare an RPP for each target behavior. It is best for people to bring their RPPs to their CRA interview, and to submit it to the Board in advance of or during a parole consideration hearing.</p> <p>While many people only understand relapse in the context of substance use, it is actually much broader than that. People can relapse into any past target behavior, like violence, criminal thinking, anger leading to violence, gang mentality, or domestic violence. <i>If you would like more information about RPPs, write back and request our resource titled, “How to Write a Relapse Prevention Plan.”</i></p>
Remorse Letter	<p>A remorse letter is a letter written to the victim/survivor, their family, and anyone else that was harmed by an individual’s actions. A remorse letter is an opportunity for the person who caused harm to apologize and express remorse or regret. However, letters of remorse should not actually be sent to the victim/survivor or their family. Although individuals may submit letters of remorse to the Board for consideration at their hearing, it is important that the letter is a genuine expression of</p>

	<p>empathy and not just something that was written for the purpose of their parole hearing. <i>If you would like more information about remorse letters, write back and request our resource titled, “How to Write a Remorse Letter.”</i></p>
Social History	<p>A person’s social history includes all of the experiences and events in their life leading up to the life crime, including their childhood and young adulthood. The Board is specifically interested in the events that shaped the person and made them who they were at the time of the life crime, which often involves a discussion of the more difficult events that the individual has experienced. A person’s social history may include traumatic experiences such as abandonment, rejection, abuse (physical, emotional, or sexual), or issues in relationships with parents or siblings.</p>
Stipulation	<p>A stipulation of unsuitability or stipulation, is when the person eligible for parole specifies that they are <i>not</i> suitable for parole and requests that the Board schedule their next parole hearing in 3, 5, 7, 10 or 15 years. Stipulations are simply offers, so the Board must accept an individual’s offer to stipulate to unsuitability for a specified period of time. Often, the Board requires the person stipulating to state their reasons for the stipulation on the record during their scheduled hearing time, after which the Board decides whether they agree that the requested denial length is appropriate. Because a stipulation is ultimately a denial of parole, an individual can later request that their hearing date be advanced with a Petition to Advance. <i>If you would like more</i></p>

	<p><i>information about how to put off your hearing, write back and request our resource titled, “Overview of California Parole Consideration Process and How to Prepare for It.”</i></p>
<p>Suitability/ Unsuitability Factors</p>	<p>Suitability and Unsuitability Factors are the factors the Board considers in deciding whether to grant parole.</p> <p>Factors tending to show <i>unsuitability</i> for parole include: (1) the commitment offense (number of victims, level of calculation and premeditation, mutilation of the victim, degree of callous disregard for human suffering, trivial motive, etc.); (2) previous record of violence; (3) unstable social history; (4) sadistic sexual offenses; (5) psychological factors; and (6) negative institutional behavior.</p> <p>Factors tending to show <i>suitability</i> for parole include: (1) no juvenile record; (2) stable social history; (3) signs of remorse; (4) significant stress motivated the crime; (5) Battered Woman Syndrome; (6) lack of criminal history; (7) age; (8) understanding and plans for the future; and (9) positive institutional behavior.</p> <p>The parole suitability process is highly discretionary, meaning the Board can choose how much weight to give each factor.</p>
<p>Target Behaviors</p>	<p>Target behaviors are harmful behaviors that contributed to the life crime and/or other disciplinary incidents. They are behaviors a person</p>

	<p>wants to fix, change, and not go back to doing. Target behaviors should typically be addressed in a person’s Relapse Prevention Plans. Common target behaviors are: violence, substance use, criminal thinking, gang membership, anger leading to violence, domestic violence, and sexual violence.</p>
<p>Youth Offender Parole</p>	<p>Youth Offender Parole provides Youth Offender Parole Hearings to some people who committed their crime under the age of 26. In Youth Offender Parole Hearings, the Board must give great weight to (1) the person’s “diminished culpability” or reduced responsibility for their actions, (2) the hallmark factors of youth that were present during the crime, such as peer pressure, and (3) the person’s subsequent growth and maturity since commitment of the crime. Although the Board will consider the Youth Offender factors during the hearing, Youth Parole Hearings are legally and practically very similar to any other parole hearing.</p> <p>Along with consideration of a person’s youthfulness at the time of the crime, a Youth Offender Parole Hearing may give a person the opportunity to have a parole hearing prior to their Minimum Parole Eligible Date (MPED) if they have not reached their MEPD yet.</p>
<p>Waiver</p>	<p>A waiver is a request by an individual to skip their scheduled hearing by waiving their right to the hearing for a period of one to five years. People can waive their right to a hearing for many reasons, as long as the request is submitted at least 45 calendar days prior to their hearing. If submitted with less</p>

	<p>advance time, the request will be denied unless good cause is shown and the reasons for the waiver could not have reasonably been known by the individual 45 days prior to the hearing. Individuals may not waive more than three consecutive parole hearings. If a person chooses to waive their hearing, they cannot file a Petition to Advance (PTA) for an earlier hearing date.</p>
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