



Please Note: The information contained in this overview 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.

OVERVIEW OF CALIFORNIA PAROLE CONSIDERATION PROCESS & HOW TO PREPARE FOR IT

I. What Is a Parole Hearing?

A parole suitability hearing is a hearing conducted by the Board of Parole Hearings (the Board) to determine if a parole-eligible individual should be released from prison. There are several categories of people who are eligible for parole hearings, such as people who are sentenced indeterminately to life in prison, people who committed a crime prior to turning 26 years old and meet eligibility requirements for youth offender parole, and people who are 50 years or older and meet the requirements for elderly parole.

A parole hearing is usually a two-to-three-hour hearing where a Commissioner and Deputy Commissioner review the parole applicant's Central File, Compressive Risk Assessment, and any other relevant documents to determine whether, if released, the person poses an "unreasonable risk to public safety." Parole hearings can feel like a very invasive process and can be emotionally challenging for a variety of reasons. The main topics discussed at parole hearings are the following: the person's life prior to the life crime; any prior juvenile or adult criminal history; the life crime and the circumstances surrounding it; conduct (both good and bad) in prison; recent Comprehensive Risk Assessments (CRAs or psych evaluations) prepared for the Board; and plans for release upon parole

II. When Is Someone Eligible for a Parole Hearing?

A person's minimum eligible parole date (MEPD) is the earliest date they become eligible for release on parole. In general, people serving life sentences become eligible for parole once they have served the minimum term ordered by the court. However, that minimum term can be reduced by any goodtime and/or worktime credits they earn. The amount of credit (or time off the minimum term) earned is based on the type of crime and the date it was committed. The first parole consideration hearing will be scheduled to take place roughly thirteen months prior to the MEPD. However, the MEPD may change if credits are lost because of rule violations.

New youth offender laws also allow for those sentenced to long terms, including determinate (or non-life) terms for crimes committed before they turned 26 to have advanced parole hearings. Penal Code Section 3051 outlines when youth offender parole hearings are due. For determinate terms, hearings are due during the 15th year of incarceration; for life sentences of less than 25 years to life, hearings are due during the 20th year of incarceration; and for life sentences of 25 years to life, hearings are due during the 25th year of incarceration. For more information on youth offender parole, contact the Prison Law Office

at General Delivery, San Quentin, CA 94964, to request a copy of their Youthful Offender Parole Guide.

There are also new laws that allow indeterminately and determinately-sentenced individuals over the age of 50 to go before the Board, so long as they have served 20 years of continuous incarceration. For more information on elderly parole hearings, contact the Prison Law Office.

III. What Happens Before a Parole Hearing?

Consultation

A consultation is the first step of the parole process. It may occur five to six years prior to the person's first ever parole suitability hearing, also known as an "initial parole suitability hearing." Consultations are conducted for people serving life sentences and those serving long determinate sentences if they are eligible for parole consideration, such as people who qualify for youthful parole. During a consultation, a Commissioner, Deputy Commissioner, or both will review the person's activities and conduct pertinent to both parole eligibility and to the granting or withholding of post-conviction credit (when applicable). The panel will provide the person information about the parole hearing process, discuss the legal factors relevant to their suitability or unsuitability for parole, and make individualized recommendations regarding their work assignments, rehabilitative programs, and institutional behavior. Within 30 days following the consultation, the panel will issue its positive and negative findings and recommendations to the person in writing.

Although the parole applicant should plan to take the Board's recommendations, just because a person gets an RVR or does not take a particular recommended program prior to their initial hearing does not automatically mean that they will be denied parole. However, the parole applicant should come prepared to discuss why they were unable to follow the panel's recommendation, and any action steps for following the recommendations in the future.

Comprehensive Risk Assessment (CRA or psych evaluation)

A Comprehensive Risk Assessment (CRA) is a report written by the Board's psychologists that summarizes the parole applicant's life prior to prison, the details of the life crime, and the person's conduct in prison, and attempts to predict the person's risk of future violence. The psychologist will conclude that the person poses a "low," "medium," or "high" risk of future violence.

Between four and six months prior to the parole consideration hearing, the Board will send one of its psychologists to interview the person eligible for parole, review their Central File, and write a report that attempts to predict their risk of future violence. Generally, CRAs

are only conducted once every three years, so it is possible that if the parole applicant has two hearings less than three years apart, the CRA used at the last hearing will still be valid.

This report is one of the most important documents the Board will use in determining whether or not the person will be granted parole. However, people too often make the mistake of not engaging an attorney or working on the areas discussed in this Guide until after the CRA is already written. In many cases, it is too late by then to have a significant impact on the parole hearing. This is because the psychologist is previewing the case for the Board. The person eligible for parole should review their Probation Officer's Report and any prior hearing transcripts or CRAs before meeting the psychologist, as well as reflect on the parole preparation questions above.

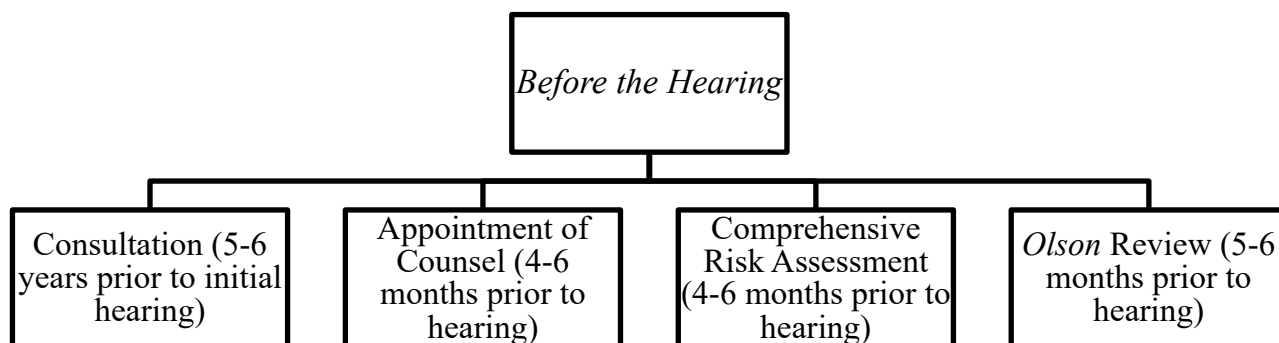
If the psychologist finds that the person does not understand the factors that contributed to their crime or that they have not resolved some of those factors, the CRA will conclude that the person lacks insight or needs more time and therapy to work on those areas. For more information about the CRA process and challenging errors in CRAs, write to UnCommon Law or visit our website.

Appointment of Counsel

Parole candidates have the right to attorney representation at parole hearings. If a parole candidate cannot afford to hire an attorney, the Board will appoint one at no cost to the parole applicant. Attorneys are appointed approximately five months prior to the hearing. For more information about working with a state-appointed attorney and the minimum expectations of state-appointed attorneys, write to UnCommon Law or visit our website.

Olson Review

Parole candidates have the right review their Central Files prior to parole hearings, during what is called an *Olson* review. While reviewing a Central File may feel overwhelming and challenging, it is an important opportunity for the parole candidate to review the all of the documentation the Board will have access to prior to the hearing.



Deciding Whether to Attend the Scheduled Hearing

People may sometimes decide that they do not want to appear before the Board on their scheduled date. This might be due to recent disciplinary action, not enough participation in self-help or therapy programs, or some other issue that might lead to both a denial of their parole and a long period to wait for the next hearing.

If the person eligible for parole decides not to proceed with their hearing on the scheduled date, they have three options. They should discuss any decision to reschedule their parole hearing with their attorney. They must submit a Board of Parole Hearings Form 1003 in order to remove the hearing from the calendar. There are three main ways to put off a hearing:

1. ***Waiver***: The person eligible for parole can choose to waive their hearing for 1, 2, 4, or 5 years. This means that they give up the right to have a hearing and they choose how long (up to 5 years) until the next hearing. If the Board receives the signed Form 1003 at least 45 days before the scheduled hearing date, the waiver request will be granted. If the Board receives it less than 45 days before the scheduled hearing, they will likely deny the request to waive the hearing and proceed with the hearing unless the person eligible for parole can show “good cause” why they did not send it sooner. If the person waives their hearing, they cannot later petition to advance it.
2. ***Stipulation***: The person eligible for parole can offer to stipulate that they are not suitable for parole and request that the Board schedule their next parole hearing in 3, 5, 7, 10 or 15 years. A stipulation is an admission that the person is unsuitable for parole and they must tell the Board why they are unsuitable. The admission that they are unsuitable and their explanation of why they are unsuitable become part of the record for the next hearing. The person may stipulate to unsuitability any time – even on the day of the parole hearing. Keep in mind that this is an offer to stipulate, which the Board can refuse to accept. Sometimes, the Board believes the offer does not cover a long enough period of time, in which case they may encourage a longer stipulation or insist on going through with the hearing. Unlike waivers, if the person offers to stipulate and the Board accepts the stipulation, the person can later petition to advance their next hearing.
3. ***Postponement***: The person eligible for parole can request a postponement of their hearing to a later date. They can make this request at any time, but the sooner they make the request, the better. The shortest period for a postponement is to the “next available” date, which is usually 4 to 6 months. The Board only grants postponements for extraordinary circumstances; if the person thinks they need one, they should request it but there is no guarantee it will be granted.

Waivers, Stipulations, and Postponements at a Glance

Action	Timing for Request	Timing of Next Hearing Date	Recorded as Denial	Can Still Petition to Advance	The Board Can Also Do It
Waive	At least 45 days before hearing. Exception: (1) Good cause and (2) could not/did not know 45 days prior	1, 2, 3, 4, or 5 years	No	No	No
Stipulate	Anytime	3, 5, 7, 10 or 15 years	Yes	Yes	No
Postpone	Anytime	As soon as possible (usually, 4-6 months)	No	No (not enough time before next hearing date)	Yes

IV. What Happens During a Parole Hearing?

Rights During the Parole Hearing Process

People eligible for parole are entitled to attend their hearings in person, to have an attorney present, to have reasonable accommodations, to ask questions, to receive all hearing documents at least ten days in advance of the hearing, to have their cases individually considered, to receive an explanation of the reasons for the Board’s decision, and to receive a transcript of the hearing.

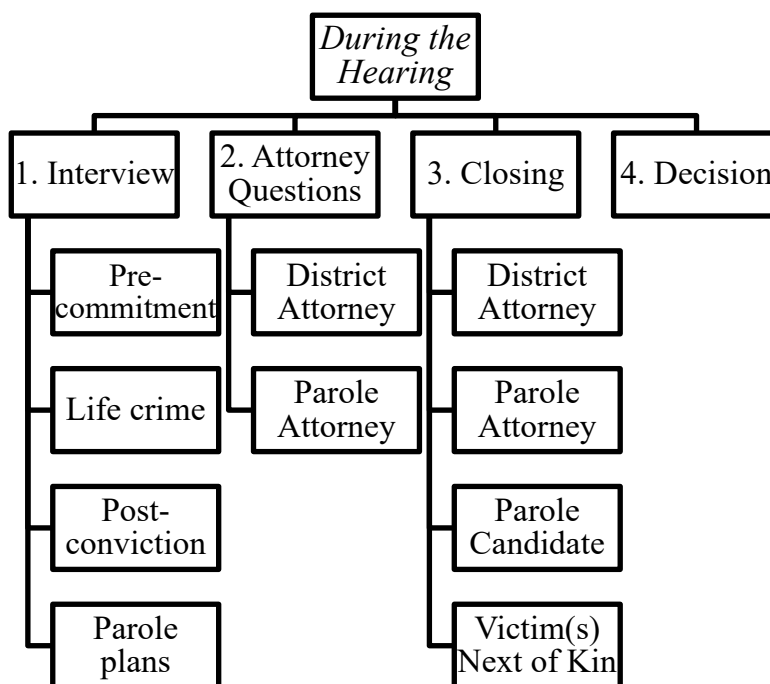
Who Will Be Present at the Hearing?

Parties attending parole hearings include the person eligible for parole, their attorney, a Commissioner (sometimes two) and Deputy Commissioner, a representative from the District Attorney’s office, two correctional officers, and the victims and/or their next of kin or representatives. Victims are defined broadly in this context, so there may be unexpected people in attendance classified as victims. Members of the public are also able to attend parole hearings as observers, but they must not have a connection to the parole applicant. People up for parole are not permitted to call witnesses or to have their family members attend, unless those family members happen to also be victims of the life crime.

What Will Be Discussed at the Hearing?

Unlike other hearings where the attorney does most of the talking, parole hearings are unique because the parole applicant does most of the talking. The Commissioners will ask

the parole applicant a series of questions to determine if the person is suitable for parole. The main topics discussed at parole hearings are the following: the person’s life prior to the life crime; any prior juvenile or adult criminal history; the life crime and the circumstances surrounding it; conduct (both good and bad) in prison; recent Comprehensive Risk Assessments (CRAs or psych evaluations) prepared for the BPH; and plans for release upon parole. Some of these topics will feel very personal and invasive. It is important for the parole applicant to prepare emotionally and practice self-care strategies for remaining calm and grounded throughout the process.



What Does the Board Look for in Granting Parole?

Overall, the parole applicant must explain their journey of transformation. They will need to explain who they were at the time of the life crime, and what they have done since then to change their thinking and behavior patterns to emerge as a person who will not resort to violence in the future.

It is very important that the person be able to demonstrate that they have gained a clear understanding of their **background** prior to the life crime (including family relationships and prior criminal or juvenile record), **the circumstances leading to the crime**, and how they have resolved and **can prevent a relapse to the circumstances that led them to violence**. These circumstances may include addiction, past experiences of trauma, and other factors that contributed to the lifestyle in which the crime took place. A person’s ability to understand and discuss these factors determines whether or not the Board finds that they lack “insight.” If the parole applicant does not understand these factors, they will be denied

parole, no matter how much time they have served and no matter how spotless their disciplinary record is. Being able to explain these circumstances and factors is important because the Board's theory is that, unless the person truly understands how they ended up in the place where such a crime could be committed, then they cannot show that it will not happen again.

The person should also come to the hearing ready to ***take accountability for the harm*** that they have caused, and understand the ***impact of the crime on the victims***. The Board is looking for people to take responsibility for all the actions they took prior to, and during the life crime and any other criminal acts (including prison discipline). Even if the parole applicant did not plan for people to be harmed (or harmed to the extent that occurred), the parole applicant should be prepared to explain how their actions could have and did result in harm.

How to Prepare for the Hearing

Below are some specific questions that should be explored when preparing for a parole hearing. Family members and friends can help explore these areas. These topics touch on areas that are very sensitive and can reach down to the very core of what shaped someone's decisions about how to live. Although some of this material may seem "touchy-feely," exploring these issues can have a very powerful impact on the person's relationships and on their ability to show the Board just how much they have learned and changed while incarcerated.

There is also a very good chance that this material will uncover issues that the person only feels comfortable discussing within a confidential relationship with the attorney who is going to represent them in their hearing. However, sometimes attorneys, especially state-appointed attorneys are unwilling to spend time with their client answering these questions. So, it may be helpful to find another trusted friend, family member, volunteer, or clergy member to discuss these questions with.

Below, are some questions that one should be ready and able to answer in the hearing. These topics are not intended to be tackled all in one sitting, however. One should take time to consider each topic and the various factors that have shaped their life.

1. What causative factors in your childhood/upbringing contributed to your crime?
Specify how those factors contributed.
 - A **causative factor** is an "external event" or experience that contributes to who a person is at any given point in time. Potential causative factors include: substance abuse, gang membership, criminal thinking, anger leading to violence, domestic violence, unhealthy relationships, and codependency. These sometimes develop in response to traumatic events like: abandonment, rejection, abuse (physical, emotional, or sexual), or issues in relationships with parents or siblings.

2. What character defects or negative personality traits contributed to your crime and how did they contribute?
 - A **character defect or negative personality trait** is a way of being that can cause conflict, criminality, or violence. These traits often arise in response to an unmet need or a negative experience, but once developed, can result harm to the person who has the negative trait and others. A list of common character defects and negative character traits is enclosed at the end of this Guide.
3. Have any of those same character traits contributed to misconduct in prison (including things you were never caught for)? If so, how?
4. What do you understand about the impact your actions had on the victim(s) of your crime or the victims of other misconduct, and how have you attempted to make amends to them?
5. How have you addressed the childhood/upbringing factors and character traits since you have been in prison?
6. What tools or coping mechanisms do you have now that you didn't have at the time of the crime (or at the time of prison misconduct), and are there specific programs that you credit for gaining those coping mechanisms?
 - **Coping mechanisms** are the tools that someone uses to deal with difficult or stressful 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 specific actions that a person will take when they experience an internal or external trigger. Healthy coping mechanisms can help individuals manage stressful events while allowing to maintain their 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.
7. What challenges do you anticipate upon being paroled?
8. How will your parole plans and support system help you address those challenges?
 - **Parole plans** are detailed plans in which parole applicants outline what their lives will look 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 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.

9. What specific patterns of behavior do you need to prevent relapse to, and how will you prevent relapsing? Include specific warning signs or triggers, as well as your coping mechanisms in response to those warning signs or triggers. Identify which of those triggers or warning signs are about people, places and things (external) and which ones are about your own thoughts, feelings and character traits (internal).
 - **External triggers** are circumstances outside of and around a person that might result in a relapse to a target (or harmful) behavior. Common external triggers include, but are not limited to: people, environments, situations, 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. For instance, something as subtle as the sound of an aluminum can opening might trigger memories of an adult that used to open a beer can before committing child abuse.
 - **Internal triggers** are thoughts and feelings that become so overwhelming that they cause a person to resort to their target (or harmful) behavior. Internal triggers are often the feelings that someone experienced in childhood that overloaded their ability to cope with a situation. Common internal triggers are feelings of: shame, insecurity, abandonment, rejection, grief, and lack of control.
10. Why were you denied parole at your prior hearing? What have you done to address those reasons since? (If applicable.)

What to Submit to the Board Prior to the Hearing

Several weeks before the hearing, the parole applicant should plan on submitting documents to the Board that aid in showing their growth and transformation. Please visit our website or write to UnCommon Law for more information on what to submit to the Board in advance of the hearing. Here are a few examples of what the Board will expect to see, but parole applicants should not be limited by this list:

Letters of support: Friends, family members, employers, and housing providers can and should submit letters to the Board detailing the support they will provide the parole applicant. Through their letters to the Board, supporters can demonstrate where their loved ones are invited to live once released, where they are offered employment, where they may participate in any necessary transitional program (e.g., drug or alcohol treatment), and any other financial, emotional, or spiritual support they may need.

Relapse prevention plans: Relapse prevention plans are plans that help address one of the parole applicants thinking or behavior patterns that contributed to the life crime or other disciplinary problems. Some of these patterns can include substance abuse, gang membership, criminal thinking, anger leading to violence, domestic violence, and others. These plans should include the internal and external triggers (or warning signs) for the behavior, the coping mechanisms the person has developed to avoid relapse, and the support networks in place to aid in preventing relapse.

Parole plans: A parole plan is a detailed plan for life after release from prison. A parole plan is important to show that the parole applicant has a realistic, concrete plans to reenter the community in a safe and supported way. We recommend including the following sections: (1) a timeline of your needs and goals post-release; (2) job offers, support letters, or research explaining how you will support yourself financially; (3) housing plans and transitional housing acceptance letters; (4) viable transportation options; (5) plans for accessing services and programming; and (6) a list of the person’s community support network.

Letters of remorse: Letters of remorse should demonstrate the parole applicant’s understanding of the impact of their actions on their direct and indirect victims. They should focus on expressing remorse and empathy rather than listing the various self-help groups they have participated in, to explain their social history prior to the life crime, or to discuss who they are today. These letters should not be sent to the victims, only to the Board.

V. What Happens after a Parole Hearing?

When Parole is Denied

Due to the passage of Proposition 9 (Marsy’s Law) in 2008, people denied parole at either an initial or subsequent hearing will have another hearing scheduled either three, five, seven, ten or fifteen years later. It is possible, however, to advance the date of a subsequent hearing through the Board’s Administrative Review and Petition to Advance processes. For more information about what happens after parole is denied, write to UnCommon Law or visit our website.

When Parole is Granted

On average, the Board grants parole in approximately thirty to forty percent of the cases they hear. Even though the Board grants a person parole, however, it does not mean they will be released right away or that the decision is final. This is because after the parole hearing, the case will be reviewed by the Board’s Decision Review Unit for 120 days. If they affirm the date, then the case proceeds to the Governor’s Office for an additional 30 days of review. By the end of the 30 days, the Governor may either reverse the parole grant or let the

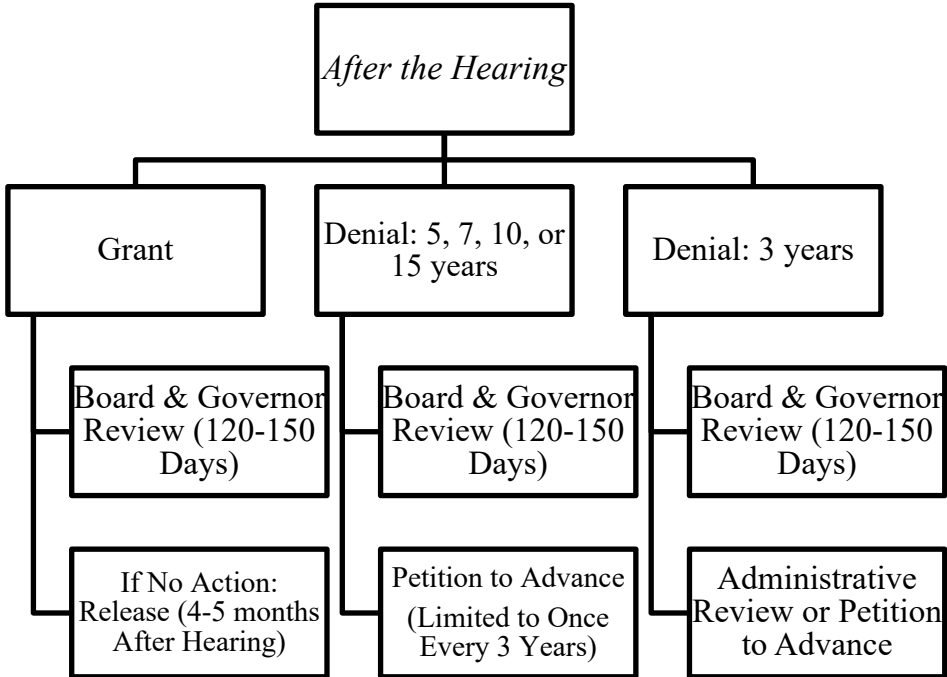
decision stand, after which the person will be released. (This extra 30 days for the Governor’s review does not apply in non-murder cases.)

In cases other than murder, the Governor cannot directly reverse a parole grant. Instead, the most the Governor can do is request that the full Board conduct an *en banc* review at one of the Board’s monthly Executive Meetings and schedule a rescission hearing, at which the person’s grant may be taken away (rescinded). In these cases, the Governor’s review must take place within 120 days following the parole hearing; no additional 30-day period applies.

If a parole grant is reversed by the Governor or rescinded by the Board, the person is placed back into the regular rotation of parole consideration hearings unless and until they are granted parole again. The next hearing will generally take place 18 months following the hearing at which parole was last granted. Some people are granted parole several times before they are finally released from prison. For more information about what happens after parole is granted, write to UnCommon Law or visit our website.

When the Commissioners Do Not Agree

If a hearing results in a split decision between the Commissioner and Deputy Commissioner, the case goes to the full Board at a monthly Executive Meeting. This is called an *en banc* review, and a majority vote is required for a person to be granted parole. Members of the public may attend this hearing and speak to the Board. For more information about split decisions and *en banc* review, write to UnCommon Law or visit our website.



Review Period

As mentioned above, parole grants and denials are not final for 120 days, during which time the Board and the Governor review the decision. The Governor has an additional 30 days to review the decision in cases of murder. If a parole applicant believes they were denied parole and that there is a factual or legal error that led to the denial, during this review period is when they might submit a Decision Review Letter.

Administrative Review

If a parole applicant was denied parole for three years and they received a “low” or “moderate” risk score on their Comprehensive Risk Assessment, the Board will automatically conduct an Administrative Review to see whether their next hearing date may be advanced to approximately 18 months instead of three years.

Petition to Advance

If a parole applicant was denied parole, a Petition to Advance (PTA) may get them before the Board for a new hearing earlier if they can establish 1) a change of circumstance or 2) new information that establishes a “reasonable likelihood” that the additional time before the next hearing date is not necessary. (Cal. Code Regs., tit. 15, § 2150-57.) If the PTA is successful, it will advance the hearing to the next lowest denial length (denial lengths are 15, 10, 7, 5, and 3 years.) For example, if someone was denied for seven years, a successful PTA would get them in front of the Board in five years, because that would be the next lowest denial length. PTAs may only be filed once every three years. For that reason, if a parole applicant was denied parole for three years and is entitled to an Administrative Review, it is best to wait and see if the case gets administratively advanced before filing a PTA.

VI. Challenging BPH Decisions in Court

At any stage of the parole consideration process, a person eligible for parole may ask a court to intervene and correct some unlawful conduct by the Board. In cases against the Governor, courts might set aside the Governor’s decision and allow the person to be released. In cases against the Board’s denial of parole, courts might order the Board to conduct a new hearing. Over the years, many cases litigated by people in prison have helped establish the legal limits on conduct by the Board and the Governor. Important cases include: *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061; *In re Lawrence* (2008) 44 Cal.4th 1181; and *In re Shaputis* (2008) 44 Cal.4th 1241. For summaries of these and other relevant cases, write to UnCommon Law or visit our website.



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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 at the state's expense if the person cannot afford to hire their own attorney.
Board of Parole Hearings (Board)	The California Board of Parole Hearings (Board) 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,</p>

	rejection, abuse (physical, emotional, or sexual), or issues in relationships with parents or siblings.
Character Defects/negative character traits	A character defect or negative character trait is a way of being that can cause conflict, criminality, or violence. These traits often arise in response to an unmet need or a negative experience, but once developed, can result harm to the person who has the negative trait and others. At the hearing, it is important to articulate (1) how the negative character developed, (2) how it manifested during the life crime and any prison discipline, and (3) what strategies have been developed to cope with the defect.
Closing Statement	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.
Commissioner	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.
Comprehensive Risk Assessment (CRA) interview	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 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.
Comprehensive Risk Assessment (CRA) report	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

	<p>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.</p>
<p>Coping Mechanisms</p>	<p>Coping mechanisms are the tools that someone uses to deal with difficult or stressful 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 specific actions that a person will take when they experience an internal or external trigger. Healthy coping mechanisms can help individuals manage stressful events while allowing to maintain their 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>
<p>Criminal Thinking</p>	<p>Criminal thinking is a thinking pattern in which an individual gives themselves permission, through justification or rationalization, to engage in criminal behavior. Criminal thinking is not just about doing illegal things or breaking the rules, it can 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, in which a person blames others for a situation they created; the good person stance, in which a person justifies their criminality by thinking it is not as bad as others or is actually doing some good; and the unique person stance, in which a person thinks no one else has ever experienced anything like them and therefore the rules do not apply to them or their situation.</p>
<p>Denial of Parole</p>	<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>
<p>Deputy Commissioner</p>	<p>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.</p>

<p>Elderly Parole</p>	<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>
<p>External triggers</p>	<p>External triggers are circumstances outside of and around a person that might result in a relapse to a target (or harmful) behavior. Common external triggers include, but are not limited to: people, environments, situations, 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. For instance, something as subtle as the sound of an aluminum can opening might trigger memories of an adult that used to open a beer can before committing child abuse.</p>
<p>Gang Mentality</p>	<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, drugs, and 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>
<p>Internal Triggers</p>	<p>Internal triggers are thoughts and feelings that become so overwhelming that they cause a person to resort to their target (or harmful) behavior. Internal triggers are often the feelings that someone experienced in childhood that overloaded their ability to cope with a situation. Common internal triggers are feelings of:</p>

	shame, insecurity, abandonment, rejection, grief, and lack of control.
Insight	There is no definition for insight found in any parole-related regulation or statute. However, insight is a key component the Board relies on when determining whether an individual 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.
Parole Plans	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 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.
Petition to Advance (PTA)	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.
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.

<p>Postponement</p>	<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>
<p>Relapse Prevention Plan (RPP)</p>	<p>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 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. 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.</p>
<p>Remorse Letter</p>	<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,</p>

	<p>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 empathy and not just something that was written for the purpose of their parole hearing.</p>
<p>Social History</p>	<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>
<p>Stipulation</p>	<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 individual to put their reasons for the stipulation on the record during their scheduled hearing time and the Board will determine 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.</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</p>

	<p>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>
Target Behaviors	<p>Target behaviors are harmful behaviors that contributed to the life crime and/or other disciplinary incidents. They are behaviors a person 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>
Youth Offender Parole	<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>
Waiver	<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 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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WHAT HAPPENS ON THE DAY OF & DURING A HEARING?

This Guide is intended to take some of the mystery out of what happens on the day of a parole hearing. After reading this Guide, you should have a clear idea of what to expect before, during, and after your hearing. As you prepare for the hearing, keep in mind that the main purpose of a parole hearing is for the Board to determine whether the parole candidate has identified the factors that contributed to their past crimes and whether they have taken appropriate steps while incarcerated to make sure those factors will not contribute to another crime in the future. When the time comes, the parole candidate will need to explain how they have gained valuable tools while incarcerated, through self-help programs and self-study, to make sure these issues do not lead to future violence. ***If the Commissioners cannot write down a couple of sincere words or phrases they hear from the parole candidate explaining what experiences, thoughts, feelings, or fears from their background and what character traits contributed to the crime, they will not grant parole.***

I. Virtual Hearings

Virtual hearings are a new feature of the California parole process, made necessary by the spread of COVID-19 and in accordance with Governor Newsom's Executive Order N-36-20. The Board implemented emergency regulations to hold parole suitability hearings through video conference as the primary way to conduct parole hearings. The Board is now in the process of making these regulations permanent, meaning that most parole hearings will be held virtually, unless an exception applies. If your hearing is conducted via video conference, the commissioners, district attorney, and victims/next of kin will appear virtually; however, your attorney may be physically present in the hearing room to satisfy your right to confer confidentially during the hearing. What to expect on the day of a virtual hearing is very similar to what to expect at an in-person hearing.

II. Before the Hearing Begins

Typically, the Board schedules three hearings a day that are set to take place at 8:30 a.m., 10:30 a.m., and 1:30 p.m. While the first hearing usually starts close to the designated time, hearings scheduled later in the day are regularly delayed. For a hearing scheduled at 8:30 a.m., the parole candidate will likely be brought to the Board area between 7:30 a.m. and 8 a.m. They and their attorney can meet around 8 a.m. or 8:15 a.m. to go over any last-minute issues before the hearing. If your attorney is appearing virtually, you will be able to speak briefly on a confidential phone line. Unfortunately, some prisons do not provide confidential meeting space before the hearing, so do not plan to discuss any major issues at that time. The hearing will likely start around 8:40 a.m. or 8:45 a.m. and last approximately three hours, though some hearings last much longer.

In many cases, a representative from the District Attorney’s Office will be present for the hearing, and sometimes the person injured in the crime and/or their family members will participate, either in person or by videoconference. All of these people, along with the Commissioner and Deputy Commissioner, will already be seated or in the video conference when the parole candidate and their attorney enter the physical or virtual hearing room.

III. Starting the Hearing

Once everyone is in the virtual or physical hearing room, the Presiding Commissioner will address **preliminary and logistical matters**. This includes explaining the hearing process, identifying all people present for the record, and determining whether the parole candidate has any disabilities that require accommodation during the hearing.

Additionally, the Commissioner will **confirm that the parole candidate’s rights have been met**. This includes the right to meet with a correctional counselor, who notified them of their rights in the hearing and gave them an opportunity to review the Central File (*Olson Review*), as well as the right to an attorney, who advised them of hearing procedures and rights.

Next, the Commissioner will confirm that all parties have received the **65-Day Master Packet** and the **10-Day Packet**. They will also ask if the attorney has any **preliminary objections** and whether there are any **additional documents to be submitted**.

Pro Tip: This is the appropriate time to bring up any objections to the Comprehensive Risk Assessment (CRA) and to submit any last-minute letters of support, writings, or additional documents.

Sometimes, the Commissioner will ask whether the parole candidate will be speaking to them during the hearing, about the crime and all other issues. After confirmation from the attorney, the Commissioner will **swear the parole candidate in**. Often, Commissioners just swear the person in without asking whether they will be answering the questions on the record.

Before beginning to ask questions, the Commissioner will **adopt a version of the facts of the case**. They might use the Probation Officer’s Report, the Court of Appeal Opinion affirming the conviction, or the version of events set forth in the CRA. The Commissioner will either read these facts and statements into the record or state they are incorporating those documents “by reference.”

IV. The Board's Questions

Most of the questions during the hearing will be directed to the parole candidate, rather than to the attorney. Usually, the Commissioner begins by asking about **pre-conviction factors**. This includes questions about family, upbringing, school, violence, gangs, substance or alcohol abuse, and divorce or separation between parents. To guide the conversation, the Commissioner relies on what is written in the most recent CRA about these topics, and the parole candidate and/or their attorney should be prepared to correct any errors. The Commissioner will also ask about prior criminal history including juvenile and/or adult arrests or convictions. They may also ask if the parole candidate has ever committed crimes for which they were never arrested. It generally does not hurt to admit to these things at this point, as long as they were not crimes that could potentially carry a lengthy sentence if convicted.

Next, the Board will review **case factors specific to the life crime**. The Commissioner might ask if there is anything to add to the version of the crime they have adopted, or they might ask specific questions about information in the file. Many Commissioners, however, will ask the person eligible for parole to describe the circumstances surrounding the crime. Whichever way they bring it up, the parole candidate should be prepared to tell the story of what happened. Commissioners may also attempt to nail down the specific factors that contributed to or caused the crime. They will either ask the parole candidate to identify those factors, or they will ask the parole candidate to explain *why* the crime happened. Some Commissioners will just ask for “insight.” **Again: *If the Commissioners cannot write down a couple of sentences they hear from the parole candidate explaining what experiences, thoughts, feelings, fears or character traits from their background led to the crime, they will not grant parole.***

Following the discussion of pre-conviction factors and the life crime, the Board will ask about **post-conviction factors**. This includes work, educational and vocational assignments, disciplinary record, self-help and therapy programs while in prison. The attorney must be familiar with their client's prison record so that they can ensure the Board does not overlook any achievements. This portion of the hearing also includes discussion of any misconduct in prison, such as RVRs (115s), counseling chronos (128As), and information contained in the confidential file. The Board will expect to hear from the parole candidate a similar level of insight and accountability for these incidents as the life crime.

During this portion of the hearing, the Board will also review **parole plans**. This includes housing arrangements, employment opportunities, continued self-help programming, and letters of support. If the person eligible for parole does not have a firm job offer, they should be prepared to discuss how they will use vocational skills they have obtained. While the Board generally prefers for people to be released into a transitional program, this is not a requirement. Even if they do have a transitional program offering

residence, they should explain where they plan on living after the six months to a year they would be staying in the residential program.

Throughout the Board’s questioning, remember that **this is the parole candidate’s hearing and their opportunity to tell their story**. That is to say, while the Board is asking the questions, this is *about the parole candidate and their life*. They should avoid simple “yes” or “no” answers and take the time to explain – at the right time – how they have changed during their incarceration. Explaining things *at the right time* simply means that the parole candidate should not skip past a painful or embarrassing discussion of things from the past in favor of focusing on how much they have changed. Instead, the Board is most concerned about their ability to talk honestly and openly about experiences from the past.

□ **Pro Tip:** At the conclusion of the Board’s questions, typically after discussing parole plans or the CRA, the attorney should consider **requesting a recess** (unless there has recently been one) to review issues likely to be raised in the clarifying questions from the District Attorney or the parole candidate’s attorney.

□ **Pro Tip:** Throughout the hearing, the parole candidate and their attorney will have a chance to talk during any recesses that are called (either for a restroom break, for deliberations or for any other reason).

V. Questioning by Attorneys

Once the Board has completed its questioning, **the District Attorney’s representative has an opportunity to ask questions** and clarify matters for the record. The DA will direct their question to the panel, and the Commissioners decide whether to pose the question to the parole candidate. Clients should remember to pause after the DA asks each question, because the panel may either want to re-phrase the DA’s question, decide not to ask the question, or answer the question themselves based on the parole candidate’s testimony from earlier in the hearing. The attorney might also object to the question, answer it, or advise the client not to answer the question.

Once the DA is finished asking questions, **the parole candidate’s attorney will have an opportunity to ask questions**. The attorney should use this time to come back to any questions that may have given the parole candidate trouble earlier in the hearing. The attorney should also have a short list of issues they know the parole candidate needs to discuss in order to demonstrate remorse, acceptance of responsibility, and insight into the crime. If any of those issues has not yet been fully addressed, they should use this opportunity to ask a question that lets the parole candidate share that information. There should not be any surprise questions for the parole candidate.

VI. Closing Statements

After clarifying questions, **the DA will make a closing statement.** They will likely focus on the life crime and any prior attempts to avoid responsibility. In addition, the DA will highlight any concerning statements in the CRA or hearing testimony in an effort to connect the historical factors surrounding the crime to some current evidence of dangerousness. Attorneys should advise their clients not to react visibly or verbally to what the DA says.

After the DA's closing statement, **the parole candidate's attorney will get a chance to make a closing statement,** which should take no more than ten minutes (some Commissioners strictly enforce a time limit). The attorney should highlight the most notable reasons for finding the parole candidate suitable for parole. This often involves reminding the Board of compelling testimony they just heard parole candidate and addressing any concerns raised by prior hearing panels or in the CRA. Although the attorney should have already outlined their argument before the day of the hearing, they will also need to be prepared to respond to issues that have come up during the hearing. For example, they might need to clarify statements made by the client, or provide documentary support to resolve a disputed issue that came up in the hearing. In addition, they may need to refute allegations made by the DA in their closing.

Next, **the parole candidate has an opportunity to make a closing statement.** The closing statement should be limited to expressing remorse for the harm they caused the victim and victim's family. It is normal for people to read a statement they previously prepared because it helps them stay focused and speak clearly. The closing statement should not respond to anything the DA has said during his or her questions or closing; that is the attorney's job and responsibility.

If **the person harmed by the crime or their representative** is present, they will be given an opportunity to talk to the Board about the impact of the crime and whether they think the parole candidate should remain in prison. The parole candidate and their attorney cannot make any further statements or objections after the victims/representatives have finished speaking. While attorneys are not permitted to object to (or interrupt) the victim's statements, they may need to find a way to raise objections with the DA and the Commissioners during a break in the proceedings.

VII. Deliberation and Decision

After closing statements, the Commissioners will meet privately while they deliberate on whether to grant or deny parole. Deliberation generally takes between 20 minutes and an hour. Once they finish deliberating, they will call everyone back in to the physical or virtual hearing room to read their decision. They will either grant parole or deny parole, directing the next hearing to be held either 3, 5, 7, 10 or 15 years later.

VIII. Post-Decision

The parole candidate and their attorney will have a few minutes after the decision to discuss next steps, whether the decision is to grant or deny parole. If parole is denied, options to challenge the decision include pursuing informal relief through the Board's Decision Review process (a type of informal appeal); pursuing formal relief from court (using a petition for writ of habeas corpus); or focusing on addressing the Board's stated concerns in preparation for the next parole hearing.

After approximately 30 days, a full transcript from the hearing will be sent to the person eligible for parole. At that time, the transcript will also be made available to the public upon request through the Board's website.



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WHAT TO EXPECT AT YOUR VIRTUAL PAROLE HEARING

Virtual hearings are a new feature of the California parole process, made necessary by the spread of COVID-19. Board of Parole Hearings Parole Suitability Hearings are currently being conducted via video and telephone conference in accordance with Governor Newsom's Executive Order N-36-20. We expect this to continue for at least another month or two, and possibly longer.

Navigating the technology during a virtual parole hearing can be stressful. Therefore, we hope this guide will help you understand what to expect. While virtual hearings may feel less intimate than in-person hearings, we have not yet seen any change in hearing outcome rates. Generally, the Board is applying the same law as before, with no special consideration for COVID-19 related factors.

While this virtual hearing may be shorter than an in-person hearing, it is important to note that **all the same rights and privileges apply – such as your right to confer confidentially with your attorney.**

I. Virtual Parole Hearing Q&A

What can I expect before the hearing begins? When the hearing is about to start, an officer will escort you into the hearing room. The television or computer screen will already be set up for you. Your attorney can and should arrange to have a confidential telephone call with you at least a few minutes before the hearing. This is in addition to the telephone calls the attorney should arrange in the months leading up to the hearing.

What can I expect at the beginning of the hearing? At the beginning of the hearing, the Board will ask you if you waive your right to an in-person hearing. If you want to have an in-person hearing, let the commissioners know and your hearing will be postponed. This could mean waiting up to six months for your next hearing to be scheduled. If you want to move forward with the video hearing, let them know that you do waive your right to an in-person hearing. The commissioners will also ask if you accept that your counsel being present by video satisfies your right to counsel. Again, if you want to have an in-person attorney, let the commissioners know and your hearing will be postponed. This could mean waiting up to six months for your next hearing to be scheduled. If you want to move forward with your attorney being present through video, let them know that you do waive your right to an in-person attorney.

In some instances, you may wish to submit documents to the Board on the day of the hearing. The Board has not publicly explained how commissioners will accept documents the

day of the hearing. In the absence of such guidance, we recommend that you alert your attorney before the hearing, and alert the commissioners at the beginning of the hearing, about what documents you have to submit and clearly read into the record the titles of any writings and the names and dates on any additional support letters. This will help to create a record of the documents that you have prepared. To avoid this issue, we recommend that you send documents you wish to submit to both your attorney and the Board far in advance of the hearing (at least three weeks). You can send documents to the Board at Board of Parole Hearings, Post Office Box 4036, Sacramento, CA 95812-4036.

How will the commissioners hear me? The video screen will either have a microphone that is built in to pick up your voice, or it will be separate; you should ask the officer if they know where the microphone is located so you can ensure you are speaking in the right direction.

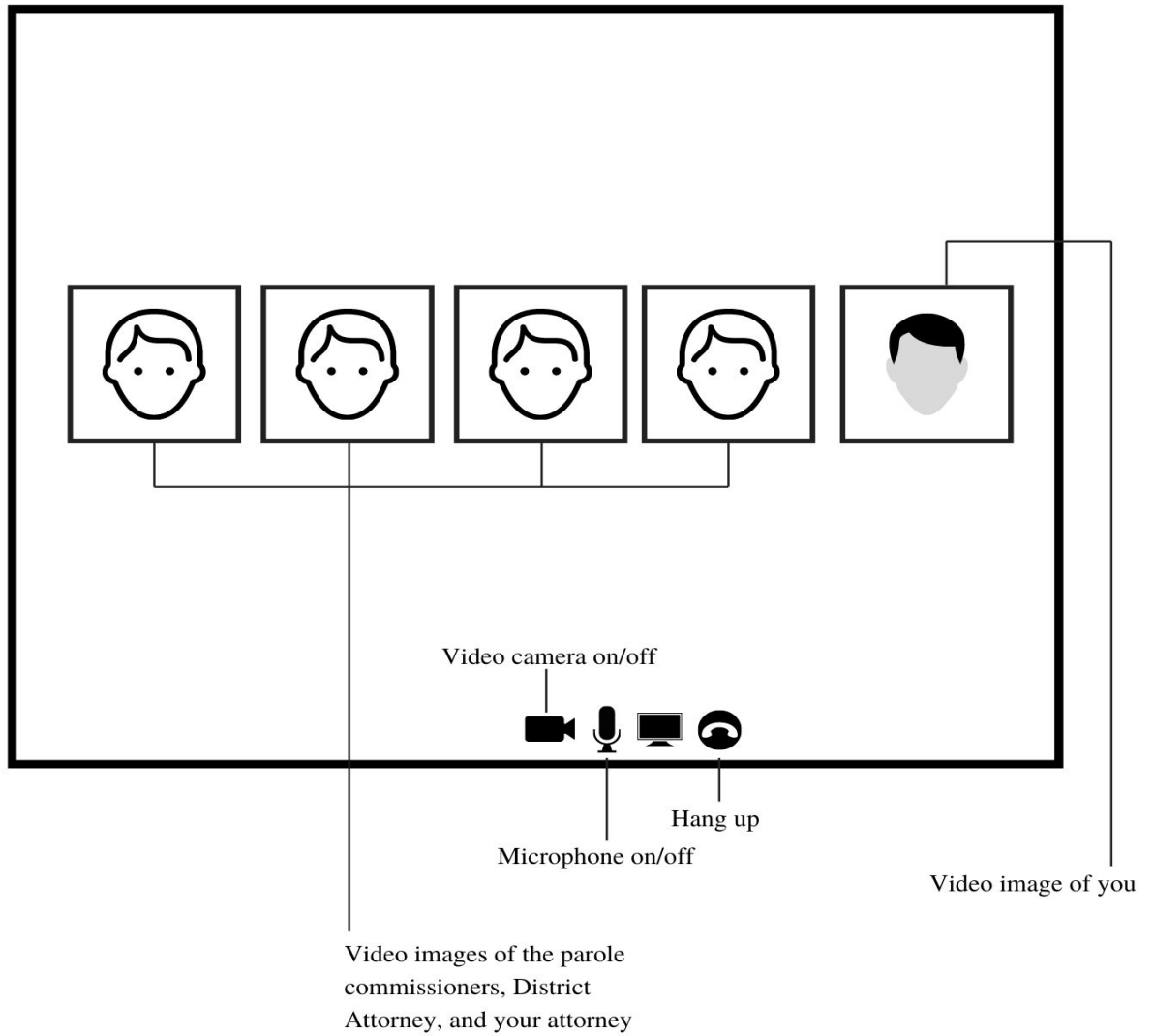
How will the commissioners see me? Most computer screens have a built-in camera located just above the top of the screen. However, the device you will be using may have a camera attached to it separately. You should ask the officer if they know where the camera is located, so you can ensure you are looking directly into the camera. Looking directly into the camera is a great way to simulate eye contact with the commissioners.

What if there are technical issues during the hearing? Once the hearing starts, an officer or the commissioner will make sure you can see the faces of the commissioner and your attorney. *If you cannot see everyone, mention this to the commissioners immediately. You should also let the commissioners know if you are having trouble hearing their voices once the hearing starts.*

What if I need a break during the hearing? If at any time you need a break, you should ask the commissioners, and *you should be allowed to speak with your attorney on a confidential phone line.* The officer present should help you set this up.

II. Virtual Parole Hearing Screen Set Up

The graphic below demonstrates what you will see on the screen during your virtual hearing:





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HOW TO PREPARE FOR A COMPREHENSIVE RISK ASSESSMENT

This Guide is intended to help you familiarize yourself with the Comprehensive Risk Assessment (CRA or “psychological evaluation”) process and prepare for it. For other information about Comprehensive Risk Assessments, please see our “How to Challenge a Comprehensive Risk Assessment” Guide.

I. What is a Comprehensive Risk Assessment (CRA)?

A Comprehensive Risk Assessment, or CRA, is a psychological evaluation completed by a psychologist who is hired by the Board to evaluate your future “risk of violence.” In order to write this assessment, the psychologist does a review of your Central File and SOMS. They also interview you for one to three hours in-person or over video. This interview covers the same topics covered in a parole hearing, including your life prior to your crime, the details of your crime, your conduct in prison, and your plans for release. Afterwards, the psychologist writes a report summarizing the information they obtained during the interview, the clinical assessment tools they applied, and the opinions they have about you. The psychologist will conclude the report by determining whether you pose a “low,” “lower moderate,” “moderate,” “moderate high,” or “high” risk of future violence.

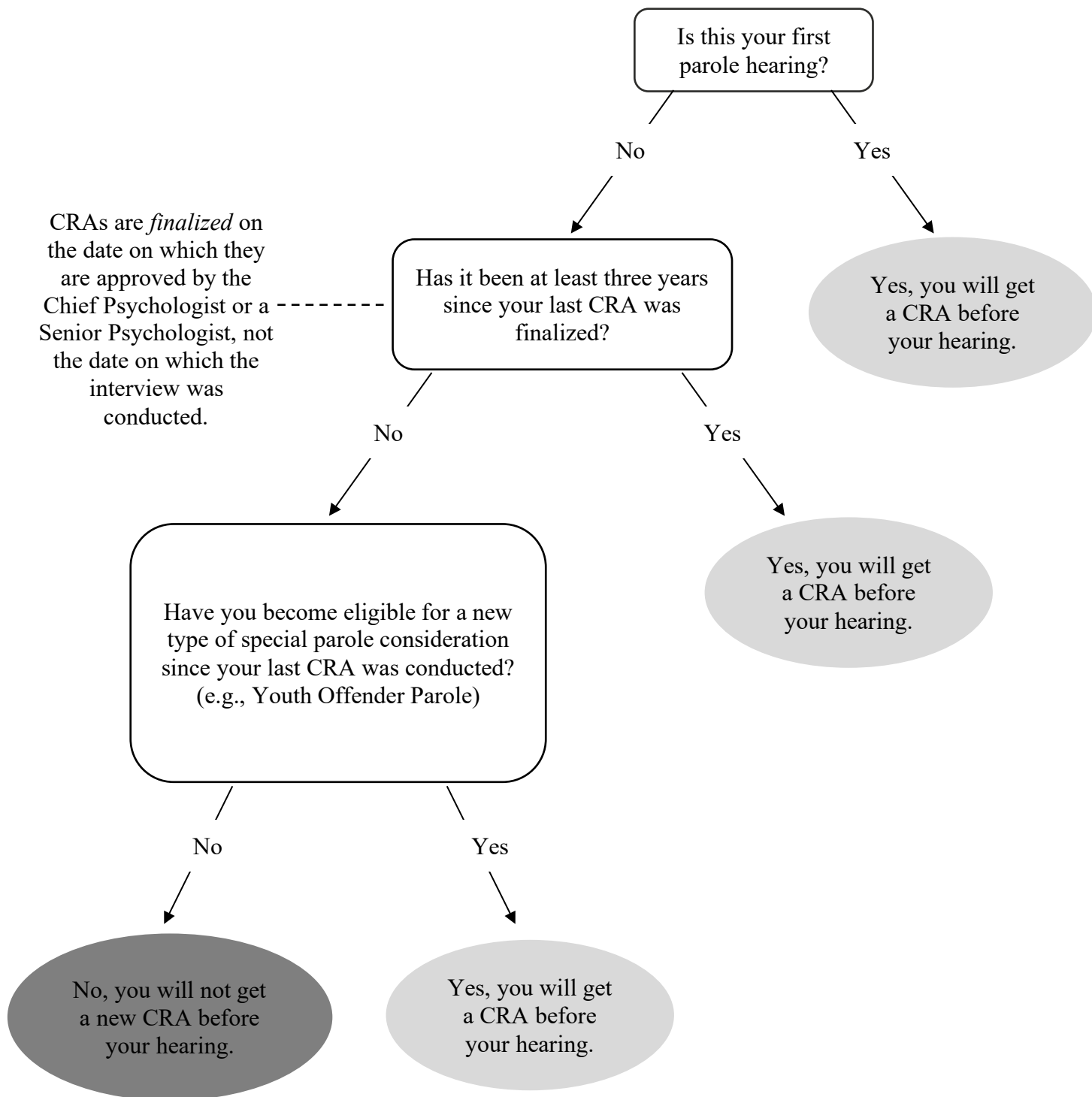
II. When will my CRA take place?

Between four and six months prior to your parole consideration hearing, the Board psychologist will interview you, review your file, and write the CRA report. You should receive your completed CRA report no later than 60 days prior to your hearing date. Generally, CRAs are only conducted once every three years, so if you have two hearings less than three years apart, the same CRA can be used at both hearings.

III. How important is the CRA?

The CRA is one of the most important documents the Board uses in determining whether or not a parole applicant will be granted parole. As a critical piece of the parole process, you should prepare for your CRA as if it is a parole hearing. The good news is that you prepare for the CRA in the same way you prepare for your parole hearing, so you do not need to do additional work. Your CRA is an opportunity for you to take accountability for your crime, share the insight and remorse you have gained while in prison, and share your release plans.

IV. When will I get a new CRA?



V. Tips to Prepare for Your CRA

- *Prepare to demonstrate your growth:* It can be overwhelming to demonstrate years, and sometimes decades, of growth in just a few hours. If you can, work with someone you trust and practice talking about the difficult aspects of your crime, as well as any prison discipline, in an accountable way. It is also useful to practice talking about what you have learned from the programming you have participated in. If you do not feel comfortable practicing with another person, you can say things out loud to yourself or write them down.
- *Meet with your attorney:* Your attorney should support you in preparing for your CRA. If you are being represented by a state-appointed attorney and are expecting to receive a CRA prior to your scheduled hearing, your state-appointed attorney is required to spend a minimum of one hour supporting your CRA preparation.
- *Understand the version of the facts of your life crime in the record:* The psychologist will likely assume that the version of the facts of your life crime in the official record is true. Most often, the psychologist will review and use your Probation Officer's Report (POR) to gain an understanding of what happened during your crime. A version of your crime might also be recorded in a police report, or a Court of Appeals decision if you appealed your case. It is a good idea to review these documents very closely to ensure that you can answer questions about your crime and explain any differences between your version of the crime and the version in the official records. **Note:** If there are differences between your version of the facts and the version that is in the official record, you should discuss the differences with your attorney and get your attorney's advice on how to talk about the differences with the psychologist.
- *Review your past hearing transcripts and CRAs:* If you previously received a CRA or a parole denial, it is a good idea for you to review your past CRAs and hearing decisions and note the issues the psychologist and the Board raised. Try to think about specific ways you have addressed previous issues, like through programs or book reports, to show that you have taken their recommendations seriously.
- *Bring documents that demonstrate your insight:* You should bring any documents you have written that show your growth and remorse. This can include: relapse prevention plans, letters of remorse, parole plans, book reports, and letters of support. If you meet with the psychologist in-person, you can provide copies of the documents for the psychologist to review. If you meet with the psychologist over video, you can simply hold the document up to the camera and explain the contents of the document to the psychologist.

- *Talk with others:* Before your CRA, it can be helpful to talk to other people who have received a CRA and hear about their experiences. Just keep in mind that everyone's experience is different and your experience will be unique to you and your case.



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HOW TO WORK WITH YOUR PAROLE ATTORNEY

This Guide offers you tools for taking ownership over your parole hearing process and working effectively with your attorney. Because nearly 90% of parole applicants throughout the state are represented by attorneys who are appointed by the Board, this advice is primarily tailored to working with appointed attorneys. However, it is our hope that this overview will help you work effectively with any attorney representing you, whether they are appointed (assigned to your case by the Board), retained (hired), or pro bono (private attorneys representing you at no cost).

I. The Right to Counsel

You have the right to have an attorney represent you at your parole hearing. If you cannot afford an attorney, the Board will appoint you an attorney at no cost to you. Over time, the Board has changed the guidelines regarding appointed attorneys so that they are now expected to meet with you more often, for longer time periods. Currently, as of November 2021, the Board has stated some of the following *minimum* expectations for appointed attorneys:

When will I be appointed an attorney?

- Approximately five months before your parole hearing, the Board will appoint you an attorney and will provide the attorney access to your Central File.

When will I meet with my attorney, and for how long?

- Within 30 days of accepting the appointment, the attorney should review your Central File and have an initial meeting with you. **This initial meeting should be one to two hours long.** If you are scheduled for a Comprehensive Risk Assessment (CRA) interview, the initial meeting should be no less than two hours and the attorney should spend at least one hour preparing you for the CRA interview.
- The attorney should have at least one additional meeting with you at least 60 days before the hearing or two weeks after the CRA is finalized. **This additional meeting should be one to two hours long.**

Will the meetings with my attorney be in person?

- The attorney should make every effort to meet with you at least once in person. Otherwise, the meetings can take place on a confidential phone line, or by video.

Will my attorney be with me in-person for my hearing?

- For all hearings after December 6, 2021, the attorney should be present in person with you during the virtual parole hearing unless you waive the attorney's presence, choose not attend the hearing, or there are circumstances outside of the attorney's control that prevent them from appearing in person.

Do I have the right to accommodations during my meetings with my attorney?

- The attorney must be familiar with your rights under the Americans with Disabilities Act and provide accommodations during client meetings.

Reminder: These guidelines do not apply to attorneys that you hire for yourself, or to private attorneys who work for a law firm or nonprofit and are representing you pro bono. These guidelines only apply to attorneys that the Board has appointed to represent you.

II. Roles at a Parole Hearing

Your Role

The most important thing to know is that this is *your* hearing. Your conduct and programming in prison, as well as how you prepare for and show up at your hearing, are the most important factors in being found suitable for parole. The parole suitability process starts long before you walk into the Board room or have an attorney appointed to represent you. It starts with your decision to program, your efforts to avoid write ups, and your commitment to your transformation. Because of this, at your parole hearing, the Commissioners are most interested in hearing from you. Unlike a hearing in a criminal case, where the lawyers do most of the talking, in parole hearings, *you* are expected to explain why you are suitable for parole.

Throughout the hearing, the Board will ask you a series of very personal questions about your childhood, your history of involvement in the criminal legal system, your life crime, and your self-help programming, education, and discipline in prison. Usually, towards the end of the hearing, the Board asks you questions about your relapse prevention plans and parole plans. These questions, and your answers, take up most of the hearing. Aside from asking for a break, or objecting to an improper question, there is not very much your attorney can do to engage in this part of the hearing. This is because the Board wants to hear from *you* about your experiences, rather than from your attorney.

Your Attorney's Role

Your attorney has several distinct roles at the hearing. First, the Board will ask your attorney several questions at the beginning of the hearing to make sure that your procedural

rights have been met. Your attorney will also have the opportunity to make preliminary objections. Sometimes, these objections involve factual or legal issues in your CRA. Later, after the interview portion of the hearing, your attorney will also have the opportunity to ask you clarifying questions. This is an opportunity for your attorney to help you clarify answers to questions you have previously answered, or to help you bring in new information you had not yet brought up. Your attorney will also make a closing statement. Their closing statement must be no longer than 10 minutes. Usually, this is their only opportunity to argue why you are suitable for parole. Attorneys also may object throughout the hearing, but they generally reserve objections for only the most extreme situations.

III. Tips for Working with Your Attorney

Because the attorney's role is fairly limited during the hearing, the best way to help your attorney advocate on your behalf is to communicate with them effectively *before* the hearing. Attorneys often have many clients, and may not have time to review your Central File thoroughly before your meetings. Thus, it is important to prepare for your meetings in advance and have specific goals for how you want to use your time with your attorney.

Here are some tips that may help you make the most of your two meetings with your attorney:

- Before meeting your attorney, do your best to gain a basic understanding of the parole process. You can do this by talking to people who have been through the parole process, or by looking at some of the other UnCommon Law Guides about parole hearings. This may help you feel more comfortable engaging with your attorney and asking questions.
- If you have done any writing that you want to submit to the Board, come to the initial meeting with your attorney with a *copy* of these writings, and clearly label these writings. These writings can include relapse prevention plans, parole plans, remorse letters, crime-impact statements, and book reports. This way, the attorney can provide you feedback on the spot, or take a copy with them to provide you feedback during your second meeting.
 - Make sure not to give them your only copy, because they may not return them.
 - Ask the attorney for specific feedback on sections that you feel less confident about. For example, “Do my remorse letters feel genuine and communicate accountability?” or “Are my coping mechanisms specific enough on my relapse prevention plan?”
 - Be sure to explain what you want the attorney to do with the documents. Be clear if you want them to submit the documents to the Board, or just provide you feedback.
- Provide your attorney with a “client worksheet” about you and your case during your first meeting so that they have all the relevant information in front of them. A sample worksheet is attached to this Guide.

- Write down all of your questions and concerns about the hearing process before you sit down with the attorney, and make sure that you get answers to all of your questions before the end of the meeting.
- Ask your attorney if they have a phone number that accepts collect calls, or if they have an address you can write to if you have questions.
- Make a plan with your attorney about how to submit documents to the Board. Be sure that you know if you should mail them to the Board yourself, or if they will do it on your behalf.
- If you disagree with your attorney about strategy (for example, if they give you advice to waive your hearing, but you want to attend your hearing), calmly explain your point of view and ask your attorney how to maximize your chances at being found suitable.

Client Information Worksheet

Name: _____

CDCR #: _____

Parole Hearing Date: _____

Youth/Elderly Parole?: _____

Sentence Length: _____

Time Served: _____

Date of Last Hearing: _____

Last Hearing Outcome: _____

My Programming History:

My Work/Vocational/Educational History:

Why I Was Denied Parole at My Last Hearing (Or Why I Waived/Stipulated):

What I Have Done Since My Last Hearing to Address the Concerns Above:

Why I Should Be Found Suitable for Parole:

115s and 128s Since My Last Hearing:

Serious Errors/Concerns in My Last CRA:

I Need Your Support On:

Questions I Have for You:



Please Note: The information contained in this overview 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.

TOOLS FOR EMOTIONAL REGULATION DURING YOUR PAROLE HEARING

Parole hearings can be a stressful, exhausting, and at times, traumatizing. Whether it is your first hearing or your tenth, it is perfectly normal to feel anxious going in front of the Board. While it may be hard to calm your nerves entirely, there are some tools to stay grounded, composed, and clear-headed during your hearing. Being able to emotionally regulate during your hearing allows all of the work you have done to shine through.

Sleep

It may be hard to stop your thoughts from racing the night before the hearing, but getting a good night's sleep will be much more helpful than trying to guess what will happen the next day. Do what you can to sleep through the night. This might include drinking hot water before bed, counting your breaths, or doing a meditation. One type of sleep meditation is called a "body scan." Imagine your toes are completely relaxed, then your feet, then your ankles, knees, etc. Slowly work your way up the rest of your body. You may be asleep by the time you reach the top of your head.

Move

Moving your body is an important tool for managing anxiety. The morning of your hearing, it may help you feel awake, alert, and relaxed to do some movement, if you are able. This could include jumping jacks, stretches, walking, yoga, or even a little dance move to get you feeling positive and energized for the hearing. During the hearing, it can help to curl and uncurl your toes if you are feeling anxious or frustrated—this way, you can release tension through movement without the Board even knowing.

Affirm

Before your hearing, write a supportive note to yourself that you can look at during the hearing. This can be a simple statement like "I've got this!" or even a small drawing of a smiley face. A positive mental attitude can help with resilience and the ability to share your story. Remember to root for yourself during the hearing, in whatever way helps you feel confident and supported.

Breathe

Breathing is one of the most important tools you have for staying relaxed and centered during your hearing. If you start to get nervous, focus on your breath, making breathing out last longer than breathing in. For example, breathe in for four seconds, and then

breathe out for six seconds. Breathing this way can calm your nervous system. During your hearing, let yourself take a deep breath before answering a question, especially if it is a question that feels triggering. This is *your* hearing, so give yourself the time you need to ground yourself before responding to the Commissioners.

Ask for Breaks

Hearings can be draining, so do not hesitate to ask for breaks when you need them. You can do this by asking your attorney to make the request or you can make the request yourself. There are moments in the hearing when asking for a break might not be possible (for example, immediately after being asked a difficult question); however, most of the time the Board will be willing to let you regain your composure and ask for a short break. It is your freedom you are fighting for, so you deserve to feel as refreshed and comfortable as possible throughout your hearing. Do not struggle through this process without a break if you need one.

Ask for Clarification

There will be times during the hearing when the questions from the Commissioners or District Attorney may feel confusing, challenging, or even combative. It can be very difficult to manage stress and anxiety at these times. Another tool to slow down the process and potentially get the questions reframed in a more respectful way can be to politely ask for clarification. For example, if a Commissioner keeps asking you a question that you believe you have already answered, you can say, “I am not sure if I am understanding your question. Would you mind rephrasing it in a different way?” If you are confused by the question or particular words that the Commissioners use, do not just guess; ask for clarification. That way you can feel confident that you are responding to what is being asked of you.

Focus on What *You* Can Control

The Commissioners, attorneys, victims, and others at the hearing may say things that are painful, aggressive, hurtful, or triggering. At the end of the day, what any of these other people say and do is not within your control. Try not to dwell on the actions of others and stay focused on what *you* have control over. For example, you control how you tell your personal story of transformation. You control how you respond to your feelings. You always have the power to reflect on all that you have done to make it to the hearing. Letting go of what others might say or do can free up space for you to focus on yourself.

Do What Works for You

Everybody takes care of themselves in a different way. You may already have practices for feeling calm, relaxed, and positive. Maybe you eat a sweet treat, listen to music, or close your eyes and breathe. This is *your* hearing, so do whatever helps *you* feel your best.

The Board might even appreciate your ability to use those skills to stay grounded and calm in a tense and stressful environment. Using these skills in the moment shows the Board not only that you developed coping skills, but that you know how to use them.

Remember, You Are Not Alone

While you may not be able to bring your supporters to your hearing, there are people keeping you in their hearts and minds. Bring them into the hearing with you by thinking of them too. And remember that we at UnCommon Law are rooting for you!



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BOOK REPORT GUIDE & SUGGESTED BOOK LIST

This Guide is intended to help you write book reports. Book reports can be an important way to show the Board that you are thinking about and working on some aspect of yourself and/or your life crime(s). Book reports can also help you to fill gaps in the programming that is available to you at your institution. By writing a book report, you should **not** be just summarizing what you read. Instead, you should be explaining ***what you learned about yourself*** and your actions by reading the book.

I. Choosing a Book

First, you will need to choose a book to read. As mentioned above, a book report should show that you are thinking about some aspect of yourself and/or your life crimes(s). This may be a ***character trait*** (such as low self-esteem), a ***characteristic of your crime*** (such as domestic violence), or a ***concern brought up by the Board*** at your last hearing (such as substance abuse). If your institution does not have programs available that address an issue you need to work on, book reports are a good way to take initiative and work on yourself on your own. Below are some suggested books you might choose to read, organized by the topic they address. Some of these books may be available in the library, but most will need to be bought by your supporters and mailed to you from an approved seller (such as Amazon).

Anger

- *Freeing the Angry Mind*, Peter Bankart
- *The Anger Trap*, Les Carter
- *Transforming Anger*, Doc Lew Childre
- *Anger Among Angels*, William Defoore
- *Anger*, Thich Nhat Hanh
- *Healing Rage: Women Making Inner Peace Possible*, Ruth King
- *Letting Go of Anger*, Ronald & Pat Potter-Efron
- *Surprising Purpose of Anger*, Marshall Rosenberg
- *What's Making You Angry*, Marshall Rosenberg

Family/Parenting Issues

- *Houses of Healing*, Robin Casarjian
- *An Adult Child's Guide to What's Normal*, Friel & Friel
- *Toxic Parents*, Susan Forward
- *Lost Fathers*, Laraine Herring
- *Parenting from Your Heart*, Marshall Rosenberg
- *Raising Children Compassionately*, Marshall Rosenberg
- *Respectful Parents, Respectful Kids*, Marshall Rosenberg

Forgiveness

- *I Thought We'd Never Speak Again*, Laura Davis
- *Forgiveness Is a Choice*, Robert Enright
- *Total Forgiveness*, R.T. Kendall
- *From Anger to Forgiveness*, Earnie Larsen
- *The Gift of Forgiveness*, Charles Stanley
- *Radical Forgiveness*, Colin Tipping
- *The Supernatural Power of Forgiveness*, Vallotton & Vallotton

Healthy Self & Relationships

- *Why Does He Do That?*, Lundy Bancroft
- *Codependent No More*, Melody Beattie
- *The New Codependency*, Melody Beattie
- *Personhood: The Art of Being Fully Human*, Leo Buscaglia
- *Out of the Shadows: Understanding Sexual Addiction*, Pat Carnes
- *The Verbally Abusive Relationship*, Patricia Evans
- *Women Who Love Too Much*, Robin Norwood
- *Overcoming Passive-Aggression*, Oberlin & Murphy
- *Addiction to Love*, Susan Peabody
- *Courage to Be Yourself*, Sue Patton Thoele

Sexual & Gendered Violence

- *Courage to Heal: Women Survivors of Sexual Abuse*, Ellen Bass
- *Male Brain: A Breakthrough Understanding of How Men & Boys Think*, Louann Brizendine
- *Men Who Rape*, Nicholas Groth
- *Healing Violent Men: A Model for Christian Communities*, David Livingston
- *Understanding Sexual Violence*, Diana Scully
- *Road to Freedom: A Comprehensive*

Competency-based Workbook for Sexual Offenders in Treatment, John Morin & Jill Levenson

Mindfulness

- *Peace Is Every Step*, Thich Nhat Hanh
- *The Miracle of Mindfulness*, Thich Nhat Hanh
- *The Heart of the Buddha's Teaching*, Thich Nhat Hanh
- *You Are Here*, Thich Nhat Hanh
- *Reconciliation*, Thich Nhat Hanh
- *Be Free Where You Are*, Thich Nhat Hanh
- *Being Peace*, Thich Nhat Hanh
- *Taming the Tiger Within*, Thich Nhat Hanh
- *Autobiography of a Yogi*, Paramahansa Yogananda
- *Spiritual Counsel*, Paramahansa Yogananda
- *Talks and Essays*, Paramahansa Yogananda
- *Inner Peace*, Paramahansa Yogananda
- *Living Fearlessly*, Paramahansa Yogananda
- *Where There Is Light*, Paramahansa Yogananda

Nonviolent Communication

- *Nonviolent Communication*, Marshall Rosenberg
- *Being Genuine*, Marshall Rosenberg
- *Being Me, Loving You*, M. Rosenberg
- *Connecting Across Differences*, Marshall Rosenberg
- *Getting Past the Pain Between Us*, Marshall Rosenberg
- *Graduating from Guilt*, M. Rosenberg
- *Model for Nonviolent Communication*, Marshall Rosenberg
- *Peaceful Living*, Marshall Rosenberg
- *Speak Peace in a World of Conflict*,

Marshall Rosenberg

- *Urban Empathy*, Marshall Rosenberg

Gang Involvement

- *It Calls You Back: An Odyssey through Love, Addiction, Revolutions, and Healing*, Luis Rodriguez
- *Always Running: La Vida Loca: Gang Days in L.A.*, Luis Rodriguez
- *Tattoos on the Heart: The Power of Boundless Compassion*, Gregory Boyle
- *A Place to Stand*, Jimmy Santiago Baca
- *Writing My Wrongs: Life, Death, and Redemption in an American Prison*, Shaka Senghor

Substance Abuse

- *Staying Sober*, Terence Gorski et al
- *Understanding the 12 Steps*, Terence Gorski et al

II. Reading the Book

As you read the book, focus on understanding the main ideas and concepts. If it is helpful to you, take notes and write down page numbers of particularly important parts so you can go back and find them later. However, the book report should not just be a summary, so do not feel like you have to write down every part of the book. Focus on what seems to apply to *you and/or your life crime(s)*. If there are certain parts that are particularly helpful in understanding your character traits or behaviors, you should take note of those.

III. Writing the Book Report

The first paragraph of your book report should present the book, its author, and the topic the book focuses on. Use this paragraph to introduce the book, and very briefly lay out its main ideas. In the next paragraphs, you should explain how the main ideas of the book apply to *your life and/or crime(s)*. Here are some useful questions to think about as you write your book report:

1. What did the concept(s) in the book teach you about yourself?
2. How have you changed, and become a new person compared to who you were at the time of your life crime(s)? How did the concept(s) in the book help this transformation?
3. What did the concept(s) in the book teach you about your responsibility? Were there ways in which you were minimizing your responsibility for your actions?
4. How did the concept(s) in the book teach you how you could have avoided your crime(s)? How could you have changed your decision-making process?
5. What lessons will you take from the concept(s) in the book and apply throughout your life?
6. How did the concept(s) in the book change and/or deepen your understanding of the impact your actions had on others? How did your actions impact the victim of your crime(s)?

You do not need to answer all of these questions when thinking about any concept from the book, but starting with one may be a good way to approach writing your report. Even though the person reading your report will not have read the actual book, you should keep your summary of the book very brief so that you can focus on what you learned *about yourself*.

Finally, your conclusion should wrap up the things you learned from the book, and how it has helped you address aspects of yourself and/or your life crime(s). Focus on how you will apply the lessons learned from the book to your life, not just to understand your past but to live a better future.

IV. Some General Tips

- **Do not minimize your responsibility for your crime(s).** While you can explain how outside circumstances may have led to your crime(s), you must take full responsibility for the decision you made and actions you took.
- **Use active language in your book report.** For example, instead of saying, “My victim was killed,” say “I killed my victim.” By making this small grammatical change, you make it clear that you take full responsibility for what you did.
- Challenge yourself to be completely honest and transparent while writing your book report.
- **Go through drafts.** Check for spelling and grammar errors. See if you can word things more clearly. If you have friends, loved ones, or supporters who would be willing to do so, have them read a draft and write notes for you.

If you are interested in receiving brief descriptions of the books mentioned in this list please contact our office.



Please Note: The information contained in this Guide 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.

HOW TO WRITE A LETTER OF REMORSE

This Guide is intended to help you through the process of writing letters of remorse to the survivors and/or victim(s) of your crime, to their families, and to the communities that you affected. We recognize that each person's journey to remorse is unique, so please do not feel limited or tied to the advice shared in this resource. It is merely meant to be a helpful starting point for writing your remorse letters. If, after thoroughly reading this Guide, you still have questions, please do not hesitate to contact our office.

I. To whom should I write a letter of remorse?

While each case is different, it is generally recommended that you write a letter of remorse to the direct victim(s) of your commitment offense. This is the person, or people, who suffered harm as a direct result of your actions. You may also choose to write letters to secondary victims, such as family members or loved ones of the victim(s), or anyone else who was negatively impacted by your crime. Examples of secondary victims include the victim's parents, their children, their spouse, their siblings, their friends, and other loved ones. Your crime might also have affected witnesses to the crime, the community that you came from, or the community that your victim(s) came from. While you do not have to write a letter of remorse to each of these people or groups of people, it is important that your letters acknowledge the wide-ranging impact of your actions on others.

If you do choose to write multiple letters of remorse, it is important to make sure that each letter is different and specific to the victim to whom you are writing. Remember, every person is different and therefore experiences harm differently. As you write to multiple people, it is crucial to consider how your actions impacted that person's life (physically, emotionally, financially, spiritually). If you knew the victim(s) prior to your crime, or discovered aspects of their life through trial and/or parole proceedings, consider that information, and describe how you imagine, or know, your actions impacted each victim's life. It should not be possible to use the same letter for multiple victims and just change the name and salutation—your letter should be specific enough that it could only be for the person who you are writing to.

II. When should I write a letter of remorse?

Because writing a letter of remorse is often a difficult and emotionally intense process, we recommend that you begin drafting your letter(s) several months before your parole hearing so that you have plenty of time to process, write, and edit. A thoughtfully written letter will go a long way towards showing the Board that your remorse is sincere, while on the other hand, a last-minute letter may cause the Board to doubt your sincerity. In

addition, putting time and care into writing your remorse letter will most likely help you to feel more prepared to talk about your remorse and understanding of victim impact in the actual hearing.

If you have written letters in the past for previous hearings or for a self-help program, consider revising them. We encourage you to update your letter of remorse every few years because your understanding of yourself, and your reflections on your relationship with the victim(s), will undoubtedly change over time.

III. What should I write about?

Letters of remorse should focus on expressing (1) remorse and empathy, (2) accountability, and (3) an understanding of how your actions impacted your victim(s). Some letters of remorse also discuss the (4) amends you are making (or planning to make) to your victim(s). Letters of remorse are not the place to list the various self-help groups you have participated in, to explain your social history prior to the life crime, to discuss who you are today, or to ask for forgiveness. Instead, focus on demonstrating empathy for your survivor and/or victim and for their loved ones, and taking responsibility for your actions. The pages following this Guide have additional prompts and exercises to help inspire your thinking.

IV. What should I reflect on as I consider writing my remorse letter?

As you begin to write your letter of remorse and consider the exercises and material enclosed, you can also reflect on the first moment when you really understood the harm that you caused, and consider the following questions. These questions, along with the material enclosed, can help you to explore what you want to express in your letter of remorse.

Reflection Questions

- How did it feel the first time you truly accepted the consequences of your actions?
- What steps have you taken to make amends for your crime? How have you expressed your remorse and empathy?
- What do you think the victim(s) would want to hear from you? What would you want to say to them? If you have heard the victim(s) or their loved ones testify at prior hearings, how have they described the impact of your crime on their lives? If you have not heard directly from the victim(s) or their loved ones, what do you think they would say about how your crime impacted them?
- How would the life of your victim(s) or of their family be different if you had not committed your crime?
- What hopes do you have for the future of your victim(s) or for their loved ones?

- Have you made living amends? If so, in a sentence or two explain what your living amends are.

V. What general guidelines should I consider as I write my letter of remorse?

Be specific. As discussed above, to help the Board see that your feelings are genuine, use language that is specific and personal. It should be clear from the text of the letter that it could have only been written by you, about the victim(s) in your case.

Use active, not passive words. For example, write “I killed my victim,” instead of “my victim was killed.” Using active rather than passive words helps to show the Board that you are not minimizing your role or deflecting blame.

Keep your letter short and simple. Letters of remorse should be between 1-2 pages.

VI. Will I actually send the letter?

No, letters of remorse should not be sent to the intended recipient. Instead, they will be presented to the Board. It is also possible that either the Board or the District Attorney’s Office will make your letters available to those who have been negatively impacted by your actions. Writing a letter of remorse is a way to show the Board that you have begun to make amends with your victim(s).

ADDITIONAL PROMPTS AND EXERCISES

Remorse is a strong emotion of sadness and regret for wrongdoing, and it plays an important role in healing for both those who have caused harm, and those who have been harmed. An expression of sincere remorse can help your victim(s) access a fuller understanding of what happened, validation and acknowledgement of the pain they have experienced, and an increased sense of safety and certainty that you will not cause that kind of harm again. Genuine remorse is selfless and centers those harmed and their healing. In some cases, it can help those harmed find closure. For that reason, in a letter of remorse, do not focus on how your remorse impacts you; focus on expressing your remorse and apology sincerely, deeply, and from a place of empathy. Showing empathy requires acknowledging the pain you have caused to your victim(s) and connecting to their emotional experience. If you need more support reflecting on the concept of remorse, write back and request Home After Harm Lesson 13: Remorse.

Accountability is the ongoing process of self-reflecting, apologizing, making amends, and changing your behavior so the harm you caused does not happen again. In the limited context of a letter of remorse, accountability means taking responsibility for your actions by naming your actions and the specific harm you caused, reflecting on the impact on your victim(s), and offering a sincere apology from a place of vulnerability and empathy. In order to demonstrate that you truly understand and take responsibility for your actions, it is important to be specific when naming what you did and the harmful impact it caused. It is also important to focus on your choices, without blaming other people or outside circumstances.

When writing a letter of remorse, the words and language you choose can have a big impact on how clearly you demonstrate accountability. Below are examples of accountable and unaccountable language. If as you review your letter of remorse you see any language that lacks accountability, revise and try again. You do not want your language to undermine your expression of responsibility.

Accountable language is active:

- “I chose...”
- “I decided...”
- “I picked up...”
- “I hit...”
- “I shot...”
- “I murdered...”

Not accountable language is passive:

- “He got killed...”
 - “He was brought to the canal...”
 - “She ended up falling...”
 - “She got hit on the head...”
 - “Mr. Smith was shot...”
-

Accountable language is honest, truthful, thorough, clear, and makes sense.

Not accountable language is dishonest, vague, confusing, unclear, or missing information.

Accountable language takes responsibility:

- Focuses on the thoughts or actions that *you* took and the choices *you* made
- Does not shy away from admitting to the “ugliest” actions

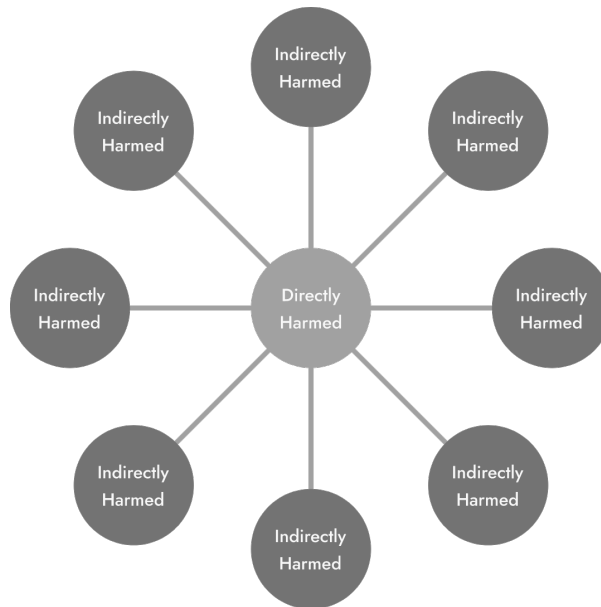
Not accountable language minimizes, blames, and justifies:

- Focuses on the actions of *others*
- Focuses on the circumstances surrounding the crime
- Glosses over the most difficult aspects of the crime
- Reduces the significance of certain actions by adding commentary to lessen the seriousness

If you need more support reflecting on the concept of accountability, write back and request Home After Harm Lesson 11: Accountability.

Victim Impact explores the idea of how harm from crime can have a far-reaching impact. You may have heard this concept referred to as the “Ripple Effect.” To illustrate this concept, think of a stone being thrown into a pool of water. The size of the stone and the force with which it hits the water determines how big the splash will be and how many ripples there are. This is also true of crimes – the severity of the harm determines how many people are affected, and how big the impact is. The stone colliding with the water represents the actual crime – the direct harm to the direct victim(s), while the splash and ripples represent the broader consequences of the crime – the indirect harm to the secondary victims. As a reminder, secondary or indirect victims can include: the victim’s family and community, the neighborhood or community where a crime took place, people who witnessed a crime, paramedics who responded to the crime, news reporters who covered the crime, and all those involved in the justice system and the adjudication of the crime. What the Ripple Effect does not adequately demonstrate is the many different ways victims are impacted by harm (physically, emotionally, spiritually, financially, etc.). It is important to explore these various types of harm so that you can deepen your understanding, empathy, and remorse.

You can begin to reflect on your direct and indirect victims by using the diagram on the next page to develop a harm impact chart for your commitment offense. If there were multiple people directly harmed, you can include multiple circles in the middle or develop multiple charts centered around each person that was directly harmed. Challenge yourself to think of people, places, and things that are possible victims of the harm you caused that you have never thought of before.



Next, make a list of direct victims and another list of indirect victims of your commitment offense. For every person on your list of direct and indirect victims, make a diagram similar to the example below. Then, describe the different ways that each person may have been impacted by the harm.

<i>Type of Harm</i>	<i>Example 1 – Direct Victim: John Smith</i>	<i>Example 2- Indirect Victim: Jane Smith (mother of John Smith)</i>
Physical	Fractured facial and skull bones, traumatic brain injury, broken teeth, intense physical pain	Could not eat for multiple days
Psychological & Emotion	Fear for his life, confusion about why this is happening to him, memory loss	Fear, concern for her son, disbelief, confusion, sadness, regret, guilt
Financial	Medical bills, dental bills, therapy bills, lost income during recovery, reliance on social security disability income	Contribution to medical, dental, and therapy bills; lost income while facilitating access to recovery resources; housing another person

Relational	Divorce; moved in with mother after he lost his home because his disability income doesn't cover the mortgage and he needs a caregiver	Contribution to medical, dental, and therapy bills; lost income while facilitating access to recovery resources; housing another person
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Ongoing	Increased paranoia and impulsivity, difficulty walking down the street alone, distrust of other people, loss of home, loss of independence	Loss of independence
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If you need more support reflecting on the concept of victim and harm impact, write back and request Home After Harm Lesson 12: Harm Impact.

Last, making amends means taking action to restore the harm caused. There are three types of amends: direct amends, indirect amends, and living amends. In your letter of remorse, consider including a sentence or two about your commitment to making amends. That said, do not spend too much time in your letter writing about this because it shifts the focus onto you.

1. **Direct amends** are when someone who has caused harm makes reparations directly to those harmed. For instance, if someone stole something from someone, they would return the item directly to the person they stole it from and apologize.
2. **Indirect amends** are when someone who has caused harm creates positivity in the world to offset the negativity created by their actions. For instance, if they assault someone but cannot have direct contact with this person, they could actively engage in anti-violence campaigns or support organizations working with violence survivors.
3. **Living amends** are the foundation of all amends; it means consistently living in a way that acknowledges your past harms and ensures you do not repeat them. It requires making genuine and radical changes in your life and committing to them. For instance, someone who assaulted an intimate partner may choose to live out their amends by committing to a lifestyle of non-violence, participating in therapy to address anger issues, and transforming beliefs about gender roles and relationships.

TEMPLATE LETTER OF REMORSE

Please Note: This Template was created to provide an example of how a Letter of Remorse can be written and organized and is meant to be personalized as much as possible.

Dear [*Victim's Name*]:

I am writing to express my remorse for ... [*name the harm that resulted in your conviction*] ...

I am remorseful because ... [*share any reflections that you have related to your remorse*] ... When I reflect on my past actions, I feel ... [*name any emotions or feelings related to your remorse*] ...

I am responsible for ... [*list the actions, inactions, and choices that you made that caused harm and resulted in your conviction in active language*] ...

I impacted ... [*list your victims, which could include the survivor and/or victim's father or mother, their children, their spouse, their siblings, their friends, and other loved ones*] ...

I imagine that I impacted you by ... [*list the type of impact or harm that you know or imagine you had on the victim you are writing the letter to, including physical, emotional, financial, relational, and ongoing harm*] ...

While I know there is no way to undo and completely repair the harm that I caused, I will work every day towards the following amends ... [*outline the steps you have taken towards making direct, indirect, and living amends*] ...

Sincerely,
[*Your Name*]



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HOW TO WRITE A RELAPSE PREVENTION PLAN

This Guide is intended to help you write a Relapse Prevention Plan (RPP). While an RPP is not required by the Board, it can be a very important document for you to prepare and give to the Board in advance of or during your parole consideration hearing. Your RPP should show the Board that you have reflected on your past negative thinking patterns and/or behaviors and that you now have the skills to prevent returning to those thinking patterns and/or behaviors in the future. The goal of a RPP is to show the Board that you can name your key behavioral issues (target behaviors), that you understand them (warning signs, triggers), and that you now have the tools to address them (coping strategies, support network).

You should write an RPP for *each* negative thinking pattern and/or behavior that might be a concern for the Board. This means that you could have multiple RPPs, each targeted at a specific set of thinking patterns and/or behaviors. This should include the issues that showed up in your life crime, but might also include other identifiable patterns of negative behavior, for example, any behaviors that have shown up in institutional rules violations.

A common misunderstanding about RPPs is that you only need one if you struggled with substance abuse in the past. This is not the case. As discussed above, RPPs can address many different negative thinking patterns and/or behaviors, such as drug or alcohol abuse, gang membership, criminal thinking, anger leading to violence, domestic violence, or some other identifiable pattern of negative behavior.

A RPP should include the following elements:

- A *title* that names what the RPP is for
- An *introduction* that describes your target behavior
- A section about your *warning signs*
- A section about your *triggers (internal and external)*
- A section about your *coping skills*
- A section about your *support network*

I. Identify Your Target Behaviors

The first step in writing your RPP is identifying or naming your *target behaviors*. This means reflecting on what negative thinking patterns and/or behaviors you have struggled with in the past, especially those that contributed to the crime for which you are in

prison. Target behaviors are harmful behaviors that contributed to the life crime and/or other harmful conduct. They are behaviors that you plan to avoid ever repeating and that you want to fix, change, and not go back to doing. Common target behaviors include:

- Substance abuse
- Gang membership
- Criminal thinking
- Anger leading to violence
- Domestic violence
- Unhealthy relationships
- Codependency

Example: At the time of the life crime, you used drugs and were a member of a gang. Both of these behaviors contributed to your actions at the time of the life crime. After you entered prison, you disassociated from the gang, but still broke the rules and received numerous rules violations. In this example, there are three target behaviors: (1) substance abuse, (2) gang membership, and (3) criminal thinking. Each of these target behaviors requires a different RPP, as they are likely associated with different behaviors, thoughts, and triggers. However, there is often some overlap. As in the example, your target behaviors played a role in the life crime and also are related to your actions while incarcerated. While that behavior is not directly related to the life crime, you still need to be able to assure the Board that you have the tools to prevent a relapse into it if released.

II. Identify Your Warning Signs

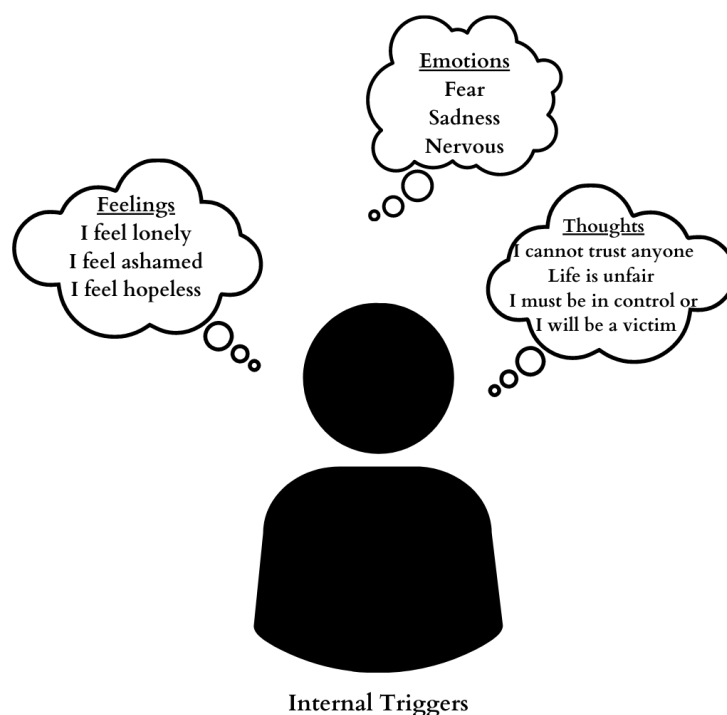
Next, you will need to show an awareness of *warning signs* that might signal a relapse could be coming. A warning sign is something that alerts you to a possible problem. A warning sign is something you notice about yourself that indicates that you might be heading towards one of your identified target behaviors. Your body could emit a warning sign, such as a racing heart or sweaty palms. You could detect a warning sign in your behavior, for example, you notice that you have stopped attending your groups or you have stopped your daily exercises. You could notice a negative thought pattern emerging that involves bargaining with yourself or minimizing, for example, “what if I have just one drink?” Being able to identify your warning signs shows the Board that you will be able to respond in a positive manner, rather than react with a negative behavior.

III. Identify Your Triggers

Next, you need to identify potential *internal* and *external triggers* that led to your target behavior in the past. What situations might spark you to return to your target behavior? These situations can be felt inside of you (internal) or exist outside of you (external).

Internal triggers are **emotions, thoughts, or feelings** that become so overwhelming they cause you to resort to your target behavior in order to cope. Internal triggers are often very painful feelings that someone experienced in childhood that made them unable to cope in a healthy or positive way.

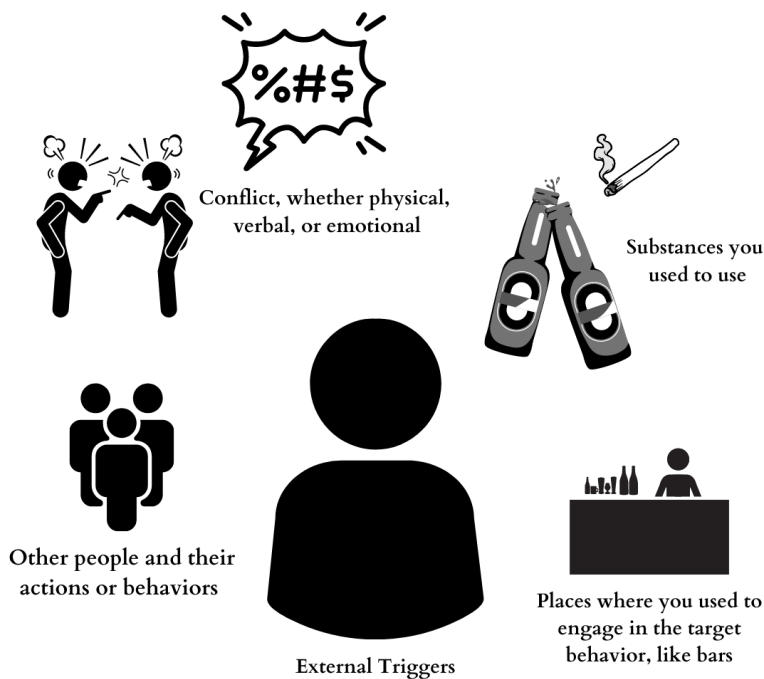
Think about internal triggers as the difficult feelings that caused you to develop the target behavior in the first place. You can begin brainstorming your internal triggers by answering the following question: What were the painful feelings, emotions, and/or thoughts you were trying to cope with, or escape from, by using or engaging in your target behavior? For example, someone may have felt unworthy, abandoned, and depressed (internal triggers) as a result of experiences of abuse, and in response, used substances (target behavior) to cope. Another person may have felt lonely and scared (internal triggers) in response to difficulty in their home, and in response, joined a gang (target behavior) to make each of those feelings go away. Think about the feelings that led to or accompanied your target behavior. What emotions led to each target behavior in the past? Common internal triggers include feelings of: shame, insecurity, abandonment, rejection, grief, and lack of control.



External triggers are **situations and/or circumstances** that might result in a relapse to your target behavior. Sometimes, external triggers are environments, 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.



It is critical that you identify both the internal and external triggers that led to your target behavior so that you can show the Board you are aware of how your own past thoughts, feelings, or circumstances could be triggering in the future.

IV. Identify Your Coping Mechanisms

Next, you need to identify the *coping mechanisms* that you now use to prevent a relapse into the target behavior. 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. They are the specific actions that you take – and will continue to take – when you experience an internal or external trigger. Healthy coping mechanisms help you to manage stressful events while maintaining your emotional health and well-being.

As you reflect on your coping mechanisms, ask yourself: What specific actions do I take upon experiencing the thoughts or feelings I identified as warning signs or potential

triggers? How will I physically, psychologically, or emotionally remove myself from the situation?

Potential coping mechanisms and tools include: self-talk, walking away, meditation, deep breathing, exercise, listening to music, calling a sponsor (or spouse, pastor, family member, etc.), and going to a 12-Step or other support meeting. As you reflect on your coping mechanisms, remember that they should be *specific* to you and tools that you *actually use*. If you cannot answer questions about what a coping mechanism or tool is and when the last time you used it was, it should probably not be on your RPP.

V. Identify Your Support Network

Last, you need to identify the *support network* that you turn to when you feel triggered. Is there someone you will call to discuss your thoughts and feelings? This could include a sponsor, mentor, family member, friend or organization and their contact information so that you can reach out to them at any time to address the thoughts and feelings associated with the target behavior. As you consider who you are going to name, think about who are the people who establish healthy boundaries, the people who share your values and goals, the people who you genuinely respect and can listen to? You should add at least one, ideally several contacts to your RPP to show that you have people you can reach out to and receive support.



Please Note: The information contained in this Worksheet 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.

This Worksheet was created to provide an example of how a Relapse Prevention Plan (RPP) can be written and organized. Instructions are highlighted in grey while examples are shown in boxes. The examples included are intended to get you started, to provide inspiration, and are meant to be personalized as much as possible. Please also keep in mind that there are many ways to create an effective RPP, and the format shown below is only one example of how it can be done. You should feel free to create a RPP that looks different from the Worksheet below, as long as the main components (introduction, warning signs, internal & external triggers, coping skills, and support network) are included. Once you have read through and filled in your answers on this Worksheet, copy your answers onto separate pieces of paper to make your RPP.

Last, we recognize that this is a lengthy Worksheet that may feel overwhelming to engage with and that may raise difficult emotions. Feel to read and work on this Worksheet as slowly as you need, while taking care of yourself.

RELAPSE PREVENTION PLAN FOR [Target Behavior]

By: [Name]

INTRODUCTION

Start your Relapse Prevention Plan with a short introduction. Your introduction should explain (1) what the target behavior is; (2) how it developed; (3) how it contributed to the life crime, any other harm you have caused, and any misconduct committed while incarcerated; and (4) your current commitment to avoiding relapse. Target behaviors are harmful behaviors that contributed to the life crime and/or other harmful conduct. They are behaviors a person wants to fix, change, and not go back to doing. Common target behaviors are: violence, substance use, criminal thinking, gang membership, anger leading to violence, domestic violence, and sexual violence.

1st Paragraph: What is your target behavior and why did it become an issue for you?

Example sentence starters...

- I started struggling with [target behavior] when I was [age/time period] because...
- I learned that [target behavior] helped me deal with [name examples of feelings/situations that caused you to engage in your target behavior] because...
- I also remember learning about [target behavior] from watching and listening to the people around me. For example, [name role models you saw/heard engaging in

your target behavior] engaged in [*target behavior*]. I wanted to behave the same way because...

Your answers... (move these answers to your RPP when you are ready to write it)

2nd Paragraph: What harm did you cause by acting on your target behavior?

Example sentence starters...

- My choice to engage in [*target behavior*] resulted in my causing harm because...
- [*Target behavior*] contributed to my life crime because...
- [*Target behavior*] contributed to my crimes before my life crime because...
- [*Target behavior*] contributed to my misconduct in prison because...

Your answers... (move these answers to your RPP when you are ready to write it)

3rd Paragraph: Why is it important for you to have a plan to prevent relapsing into your target behavior?

Example sentence starters...

- Today, I am committed to my recovery from [*target behavior*] because...
- I now understand my issues with [*target behavior*] and the importance of having a plan to prevent relapsing back into it because...

Your answers... (move these answers to your RPP when you are ready to write it)

WARNING SIGNS

Warning signs are bodily sensations, behaviors, emotions, or thoughts that signal a person is feeling triggered and is vulnerable to relapsing into their target behavior. Some examples of warning signs are, "I am withdrawing from people," "I stop going to groups," and "I feel my heart racing." Include a list of at least 5 to 10 warning signs.

List of Warning Signs

1. My palms are sweaty
2. ...
3. ...
4. ...
5. ...

INTERNAL TRIGGERS

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 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. Include a list of at least 5 to 10 internal triggers and the reasons why those feelings trigger you.

<i>List of Internal Triggers</i>	<i>Reasons Why These Feelings Trigger Me</i>
1. Shame	I felt shame about an experience of abuse I had as a young child. My feeling of shame was overwhelming so I used to use alcohol to numb myself. Today when I feel shame, I know I have to use one of my coping skills because my shame has resulted in substance use in the past.
2. ...	
3. ...	
4. ...	
5. ...	

EXTERNAL TRIGGERS

External triggers are situations or circumstances that might result in a relapse to a target behavior. Sometimes, external triggers are environments, 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. Include a list of at least 5 to 10 external triggers and the reasons why those situations trigger you.

<i>List of External Triggers</i>	<i>Reasons Why These Situations Trigger Me</i>
1. Being in my old neighborhood	My old neighborhood triggers me because it is where my addiction developed and where I used when I was in the community. Today if I am in my old neighborhood, it may remind me of my past use and trigger me.
2. ...	
3. ...	
4. ...	
5. ...	

COPING SKILLS & MECHANISMS

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 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. Include a list of at least 5 to 10 coping skills and an example of a time you have used each skill.

<i>List of Coping Skills</i>	<i>Example of a Time When I Have Used This Skill</i>
1. Breathing exercises	I use breathing exercises when someone offers me pruno. I immediately calm myself with my breath and exit the area.
2. ...	
3. ...	
4. ...	
5. ...	

SUPPORT NETWORK

Identify the support network that you turn to when you experience triggers related to your target behavior. Who are the people you can talk to about your feelings and who will support you in using healthy coping skills? Your support network could include a sponsor, a mentor, family members, friends, or even organizations. List them below and include their contact information so that you can reach out to them at any time you need support.

<i>Name</i>	<i>Contact Information</i>
	<u>Phone Number:</u> <u>Email:</u> <u>Address:</u>
	<u>Phone Number:</u> <u>Email:</u> <u>Address:</u>
	<u>Phone Number:</u> <u>Email:</u> <u>Address:</u>

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	<u>Phone Number:</u> <u>Email:</u> <u>Address:</u>
	<u>Phone Number:</u> <u>Email:</u> <u>Address:</u>



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HOW TO WRITE A PAROLE PLAN

This Guide is intended to help you create a parole plan to present to the Board of Parole Hearings (“Board”) during a parole consideration hearing. A parole plan is a detailed plan for your life after your release from prison. Although parole plans are not required by the Board, they are very important for you to prepare and give to the Board before or during your parole consideration hearing. This Guide contains a lot of information and may feel overwhelming. Feel free to work one section at a time, and review this Guide as needed as you write your parole plans.

A parole plan is important to show that you have realistic, concrete plans to reenter the community in a safe and supported way. **There is not one “right” way to write parole plans; what matters most is the content.** This Guide will explain how to write one form of a parole plan. No matter what type of parole plan you choose to submit to the Board, we recommend including the following sections: (1) a timeline of your needs and goals post-release; (2) job offers, support letters, or research explaining how you will support yourself financially; (3) housing plans and transitional housing acceptance letters; (4) viable transportation options; (5) plans for accessing services and programming; and (6) a list of your community support network.

Each of these sections should be *specific* and demonstrate to the Board that these plans are *tailored* to who you are, your interests, and your plans for the future. Further, ideally each section would be accompanied by a letter of acceptance or support, or research to demonstrate that each plan is certain, or nearly certain to occur. While this is not always possible, do your best to demonstrate that you have taken time to reflect on and research what you will need to be successful on the outside.

I. Write a Timeline of Your Post-Release Goals

This section provides an overview of your days, months, and years following release. This timeline can be divided into different periods of time based on your needs, but below, we provide one way of creating a timeline. Each timeline can detail your immediate necessities (1-7 days after release), short term plans (between 7 days and six months from release), and long-term accomplishments (after six months from release). This gives you an opportunity to show the Board that you understand the steps you will need to take to care for your basic needs and positively contribute to society.

1. Immediate Necessities

The first section of your timeline should demonstrate your immediate needs after you are released. Reflect on the actions you will need to take right away to allow you to obtain housing, a job, and navigate a world that has changed dramatically since you have been incarcerated. Some immediate needs may include: contacting your parole officer, checking into a transitional housing facility, getting a bus pass or figuring out public transportation, applying for health care or food stamps, locating AA or NA meetings, connecting with a sponsor or loved one, attending a transitional job program, buying a cell phone, or obtaining official documents such as an ID, birth certificate, or social security card.

2. Short-Term Plans

The second section of your timeline should build on your immediate needs, and detail how you are going to maintain a stable lifestyle. For example, it might include steps such as: continued attendance in support groups, finding a therapist, opening a bank account, getting a driver's license, maintaining contact with your parole officer, seeing a doctor, researching housing opportunities, obtaining career advice and starting a job, learning how to use technology, exercising regularly, and continued connection with your loved ones.

3. Long-Term Accomplishments

The last section of your timeline is an opportunity to share your long-term vision and dreams. When you envision yourself a few years from now, what does your life look like? Do you have your own apartment and transportation? Do you have your own business? Are you giving back to your community? Do you have a family? Think about the steps that you will need to take to make those dreams a reality. Long-term goals could include: enrolling in school or a vocational program, starting your own business, working towards a promotion at work, volunteering time to mentor youth, saving money for a down payment on a house, and getting married.

II. Create a List of Concrete Plans

Next, you should make *specific* plans to accomplish each of your goals. We recommend including details for each of the following categories:

1. Housing

The Board is most comfortable when people plan to reside in a transitional housing program before moving in with family or friends, and often requires people to live in transitional housing for six months to one year. This is especially true for those with a history of drug or alcohol addiction. You should contact transitional housing providers in the county

where you plan to parole, and obtain letters of acceptance into the programs. It is a good practice to have more than one option for transitional housing.

Tips for what to include in your plan:

- If you have multiple acceptance letters, list (or be prepared to discuss) which transitional housing provider is your first choice and why.
- Your plans after leaving transitional housing. This could include a plan to live with a friend or family member. Be sure to get a letter of support from this individual to verify that they agree to and support this arrangement.
- If, due to the nature of your commitment offense, you must register under Penal Code section 290, you should disclose that information to the transitional housing provider to ensure that they can accept you into their program. Ask that the provider state in the letter that they are aware you must register and that you are permitted to reside at their program.

2. Employment

You should make detailed plans to that show that you can take care of your basic needs without resorting to criminal activity. There are various ways to demonstrate that you will be financially stable post-release. Below are several ways to demonstrate this to the Board.

If upon release you must register under Penal Code 290, be sure to research the potential impact on your ability to have certain jobs. For example, you may not be able to work with certain populations, like children. The Board will want to know that you understand these limitations on your job search, and that you are prepared to handle the additional stressors that registration requires.

Job Offers

The best option is to present a firm job offer. You can list the employer's name, address, and phone number. The employer should also write a letter to the Board verifying the job offer. This letter should be specific, and include your job title, duties, how many hours per week you will work, and the pay rate.

Here are some tips for obtaining a job offer:

- Think about people you know who run businesses or who may be able to connect you to an employer. Often, a sibling or cousin may know a friend who owns a company that might be willing to hire you. Or, reach out to people you know from prison who have been released and see if they can connect you with their current employer.

- If you are working in a trade in prison, talk to your supervisor to see if they have any connections to businesses on the outside. They may be able to provide contact information or a recommendation for potential jobs.
- Ask a friend or family member to help you research businesses in your area of interest. You can directly write to the business, tell them about your experience, and ask if they would be willing to offer you a position if you are released.

Tentative Offers of Employment or Interview

The Board understands that finding a job from inside prison is difficult. So, you can list tentative job offers or transitional job programs that have confirmed they will consider you for a job or training program. Some organizations or businesses may also write a letter saying that they commit to interviewing you upon release. The Board likes to see that you have proactively reached out to places of employment and have committed to the job search.

Employment Research

Alternatively, if you are unable to provide letters, you can also submit a document outlining your job search process. Put together a list of jobs that you could get with your skillset. In making this list, be mindful of how your criminal record may impact your choices, and focus on opportunities where your record may be less of a barrier. This will show that you understand that not all jobs will hire people with criminal records, but many will, and that you have already started thinking about which jobs you will apply to.

3. Transportation

Explain how you plan to travel from your transitional housing provider to your jobs or support groups. For example, you can ask for support in researching the public transportation options and their cost in the area where you plan to parole. You also can detail any members of your support network who have committed to giving you rides, or your future plans to rent or buy a car once you have your license.

4. Programming

Reflect on the support systems you will need when you are back in the community to thrive and feel supported. If you have a history of substance abuse, make sure to research which AA and NA meetings are close to your transitional housing providers. Other support program options could include: lifer support meetings, anger management, criminal and gangs anonymous, and individual or group therapy. Be sure to list all the programs you plan to attend, and include the addresses and phone numbers for the programs, if possible. If you have access to them, it can be helpful to include schedules of local groups in the area where you plan to parole.

5. *Support Network*

Document all the people in your life that you can call upon to provide you support and advice as you return to the community. These people can include: family members, friends, religious institutions, sponsors, or mentors. Be sure to include the person's name, their contact information, and their relationship to you.

6. *Other Possible Sections*

Parole plans should reflect your own individualized plan for reentry. Think about including additional sections to reflect your unique needs and considerations upon reentering the community. Examples could include:

Challenges: You can document potential challenges during reentry that may arise and how you plan to overcome those challenges.

Social & Recreational Interests: You can list positive activities you plan to engage in, such as exercise, volunteering, and family time.

Health Care: If you have specific medical needs, it is a good idea to make a plan for getting health insurance, connecting with doctors, and other steps for how you will maintain your physical and mental health post-release.

III. Verify Your Plans Through Support Letters and Research

For every plan that you make, be sure to ask transitional housing providers, employers, and supporters to verify their support in a letter to the Board. These letters should be as specific as possible about the details of the support that the person will provide.

There are sections of your parole plan that may not be achievable or verifiable while you are in prison. For areas such as these (like obtaining your California ID), you can ask a friend, family member, or counselor to help you research as many details as possible to show you know how to achieve the goal. For example, you could include the address of the DMV and demonstrate that you understand which documents you will need to bring to the appointment to get your ID.

In conclusion, this Guide provides a summary of how to write *one type* of parole plan. No matter what structure you decide to use or sections to include, we hope this Guide is helpful in reflecting on the various sections you can include to demonstrate your readiness for release.



Please Note: The information contained in this Worksheet 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.

This Worksheet was created to provide an example of how a Parole Plan can be written and organized. Instructions are highlighted in grey while examples are shown in boxes. The examples included are intended to get you started, to provide inspiration, and are meant to be personalized as much as possible. Please also keep in mind that there are many ways to create an effective Parole Plan, and the format shown below is only one example of how it can be done. You should feel free to create a Parole Plan that looks different from the Worksheet below and that may not cover all of the topics and details included below. The goal of this Worksheet is to help you think through and plan for what your life on the outside will look like as robustly as possible. Once you have read through and filled in your answers on this Worksheet, copy your answers onto separate pieces of paper.

Last, we recognize that this is a lengthy Worksheet that may feel overwhelming to engage with and that may raise difficult emotions. Feel to read and work on this Worksheet as slowly as you need, while taking care of yourself.

PAROLE PLAN

By: [Name]

INTRODUCTION

Start your Parole Plan with a short introduction. Your introduction should explain: (1) the purpose of your parole plan and (2) why having one is important to you.

Example

The purpose of this parole plan is to ensure that my reentry into the community after ... years of incarceration is safe and supported. I have been in prison for many years, so I understand why it is important for me to have plans to ... Once I am released, my goal(s) is (are) to...

PAROLE PLANS & GOALS TIMELINE

Before Release: Some Parole Plans include a section covering what you will do in the days immediately prior to your release from prison to ensure your transition into the community goes as smoothly as possible.


Immediate Goals (1-2 Months): Some Parole Plans include a section that outlines your immediate needs after you are released. Some immediate needs may include: contacting your parole officer, checking into a transitional housing facility, getting a bus pass or



figuring out public transportation, applying for health care or food stamps, locating AA or NA meetings, connecting with a sponsor or loved one, attending a transitional job program, buying a cell phone, or obtaining official documents such as an ID, birth certificate, or social security card.


Intermediate Goals (2-5 Months): *Some Parole Plans include a section that builds on your immediate needs, and details how you are going to maintain a stable lifestyle. For example, it might include steps such as: continued attendance in support groups, finding a therapist, opening a bank account, getting a driver’s license, maintaining contact with your parole officer, seeing a doctor, researching housing opportunities, obtaining career advice and starting a job, learning how to use technology, exercising regularly, and continued connection with your loved ones.*



Long-Term Goals (6+ Months): *Some Parole Plans include a final section that outlines your long-term vision and dreams. When you envision yourself a few years from now, what does your life look like? Do you have your own apartment and transportation? Do you have your own business? Are you giving back to your community? Do you have a family? Think about the steps that you will need to take to make those dreams a reality as specifically as possible. Long-term goals could include: enrolling in school or a vocational program, starting your own business, working towards a promotion at work, volunteering time to mentor youth, saving money for a down payment on a house, and getting married.*



Try and list a goal or action you can take related to each of the following categories: parole, housing, employment and/or education, finances, benefits and public services, health care, transportation, programming, and support network. If you cannot list a goal or action you can take for each category, that is completely okay!


 Parole	<p>Before Release <u>Example:</u> Contact my Parole Officer</p> <ul style="list-style-type: none"> • <i>Include information about how you will obtain this contact information (address and phone number), why contacting your parole officer is important to you, and what type of relationship you hope to have with your parole officer.</i> <p>Immediate Goals (1-2 Months) <u>Example:</u> Check-in with my Parole Officer</p> <ul style="list-style-type: none"> • <i>Include information about the possible date, time, and location of this appointment, why checking-in with your parole officer is important to you, and what type of relationship you hope to have with your parole officer.</i> <p>Intermediate Goals (2-5 Months) <u>Example:</u> Maintain a positive relationship with my Parole Officer</p>
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	<ul style="list-style-type: none"> • <i>Include information about how often you plan to meet with your Parole Officer, what type of information you plan to share with them, and what steps you will take to ensure that you have a positive working relationship.</i> <p>Long-Term Goals (6+ Months) <u>Example:</u> Meet with my Parole Officer to understand requirements for discharging parole within a year</p> <ul style="list-style-type: none"> • <i>Include any information about your goals related to parole discharge and parole transfer (if applicable). Include information about why discharging from parole is important to you or furthers your long-term goals.</i>
 Housing	<p>Before Release <u>Example:</u> Contact my housing provider and confirm my residence</p> <ul style="list-style-type: none"> • <i>Include information about where you will be living and why. Include your housing provider’s contact information (address and phone number).</i> <p>Immediate Goals (1-2 Months) <u>Example:</u> Begin living at my housing provider</p> <ul style="list-style-type: none"> • <i>Include information about where you will be living and why. Include your housing provider’s contact information (address and phone number). Include information about what services at your housing provider that you plan to take advantage of.</i> <p>Intermediate Goals (2-5 Months) <u>Example:</u> Continue living at my housing provider and begin planning for housing after completion of program</p> <ul style="list-style-type: none"> • <i>Include information about how long you plan to live at your housing provider, what type of housing you hope to live in afterwards, and the steps you will take to find and secure a new residence (look at rental listings, save money for a deposit, etc.)</i> <p>Long-Term Goals (6+ Months) <u>Example:</u> Move into an apartment and begin saving to purchase a home</p> <ul style="list-style-type: none"> • <i>Include information about where you want to move after your transitional housing and why; what are your long-term goals related to housing and what actions can you take to support those goals?</i>
	<p>Before Release <u>Example:</u> Contact my support network to ensure I have a ride to my new residence</p>

<p>Support Network</p>	<ul style="list-style-type: none"> • <i>Include contact information (address and phone number) for the person or organization who will pick you up at the gate and drive you to your housing provider.</i> <p>Immediate Goals (1-2 Months) <u>Example:</u> Immediately contact my sponsor</p> <ul style="list-style-type: none"> • <i>Include information about who your sponsor is and their contact information (address and phone number). Include why contacting your sponsor immediately upon release is important to you.</i> <p>Intermediate Goals (2-5 Months) <u>Example:</u> Meet regularly with my sponsor and begin rebuilding my relationships with family members</p> <ul style="list-style-type: none"> • <i>Include information about how often you will meet with any support people or family members, under what circumstances you will meet with people (family gatherings, one-on-one, with support people, with a therapist, etc.), and any events that may support you and foster your community</i> <p>Long-Term Goals (6+ Months) <u>Example:</u> Continue regularly meeting with my sponsor and host regular family gatherings at my apartment</p> <ul style="list-style-type: none"> • <i>Include information about how often you will meet with any support people or family members and the types of relationships you hope to have with members of your community. What are your long-term goals related to your support network and what actions can you take to support those goals?</i>
 <p>Employment and/or Education</p>	<p>Before Release <u>Example:</u> (If you have secured a job offer) Contact my employer to let them know when I will be released, and make plans for when I might start working</p> <ul style="list-style-type: none"> • <i>Include contact information (address and phone number) for your prospective employer.</i> <p>Immediate Goals (1-2 Months): Will your immediate goal(s) related to employment and/or education change from your goal prior to release? If so, include that change.</p> <p>Intermediate Goals (2-5 Months): Will your intermediate goal(s) related to employment and/or education change from your immediate goals(s)? If so, include that change.</p>

	<p>Long-Term Goals (6+ Months): Will your long-term goal(s) related to employment and/or education change from your intermediate goals(s)? If so, include that change.</p>
 <p>Finances</p>	<p>Before Release <u>Example:</u> (Whether you have a job offer or not) I have planned to support myself financially upon my release by...</p> <ul style="list-style-type: none"> • <i>Are you eligible for public benefits? Do you have letters of support from a person/people who have offered you financial support during your transition? Does your transitional housing offer temporary financial support? Do you have any savings?</i> <p>Immediate Goals (1-2 Months): Will your immediate goal(s) related to finances change from your goal prior to release? If so, include that change.</p> <p>Intermediate Goals (2-5 Months): Will your intermediate goal(s) related to finances change from your immediate goals(s)? If so, include that change.</p> <p>Long-Term Goals (6+ Months): Will your long-term goal(s) related to finances change from your intermediate goals(s)? If so, include that change in.</p>
 <p>Benefits & Public Services</p>	<p>Before Release <u>Example:</u> Before my release I will talk to ... to determine whether and what benefits I will be eligible for...</p> <ul style="list-style-type: none"> • <i>Include information about who on the inside you can talk to about eligibility for public benefits. What proof of eligibility can you show?</i> <p>Immediate Goals (1-2 Months): Will your immediate goal(s) related to benefits and public services change from your goal prior to release? If so, include that change.</p> <p>Intermediate Goals (2-5 Months): Will your intermediate goal(s) related to benefits and public services change from your immediate goals(s)? If so, include that change.</p> <p>Long-Term Goals (6+ Months): Will your long-term goal(s) related to benefits and public services change from your intermediate goals(s)? If so, include that change.</p>

 <p>Health Care</p>	<p>Before Release <u>Example:</u> Once I am released, my healthcare provider will be...</p> <ul style="list-style-type: none"> <i>If you have a job offer, will your employer provide healthcare? If you are eligible for public benefits, what do you need to do to set up your healthcare?</i> <p>It is important for me to have a plan to continue my mental health treatment. I have spoken to... and understand that my treatment plan upon release will be...</p> <ul style="list-style-type: none"> <i>If you have particular mental health needs, what is your plan to ensure you will continue to have the care you need once released? For example, if you are receiving treatment at the CCCMS level of care, you should be sure to take advantage of the pre-release planning the program offers. Include information about how your treatment plan will be transferred to the community.</i> <p>Immediate Goals (1-2 Months): Will your immediate goal(s) related to health care change from your goal prior to release? If so, include that change.</p> <p>Intermediate Goals (2-5 Months): Will your intermediate goal(s) related to health care change from your immediate goals(s)? If so, include that change.</p> <p>Long-Term Goals (6+ Months): Will your long-term goal(s) related to health care change from your intermediate goals(s)? If so, include that change.</p>
 <p>Transportation</p>	<p>Before Release <u>Example:</u> I will have access to transportation upon release by...</p> <ul style="list-style-type: none"> <i>Consider where your transitional housing program is and where you will need to go: parole office, doctor appointments, work, etc. Will you be using public transportation? Do you have access to a vehicle?</i> <p>Immediate Goals (1-2 Months): Will your immediate goal(s) related to transportation change from your goal prior to release? If so, include that change.</p> <p>Intermediate Goals (2-5 Months): Will your intermediate goal(s) related to transportation change from your immediate goals(s)? If so, include that change.</p>

	<p>Long-Term Goals (6+ Months): Will your long-term goal(s) related to transportation change from your intermediate goals(s)? If so, include that change.</p>
 <p>Programming</p>	<p>Before Release <u>Example:</u> I am committed to continuing my self-help so that I make sure I set myself up to deal with reentry in a healthy way. I will continue to attend... program(s).</p> <ul style="list-style-type: none"> • <i>Include information about what self-help programs you will participate in after you are released. Are you participating in programs through your transitional housing, in the community, or both?</i> <p>Immediate Goals (1-2 Months): Will your immediate goal(s) related to programming change from your goal prior to release? If so, include that change.</p> <p>Intermediate Goals (2-5 Months): Will your intermediate goal(s) related to programming change from your immediate goals(s)? If so, include that change.</p> <p>Long-Term Goals (6+ Months): Will your long-term goal(s) related to programming change from your intermediate goals(s)? If so, include that change.</p>



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HOW TO WRITE A LETTER OF SUPPORT

This Guide is intended to help you draft a strong letter of support. Letters of support are an important part of the documentation the parole applicant will provide to the Board in advance of or during their parole consideration hearing.

I. Purpose & Types of Letters of Support

Your letter will show the Board that the parole applicant has a strong support network, and if granted parole, will have continued support while safely transitioning back to the community. Even if you live far away, your support is important, as it shows the Board that they have positive people in their life. There are three main types of support letters: (1) Parole Plans; (2) General Support; and (3) Testimonial. Each type is discussed below.

Parole Plans: A parole plans letter is one that outlines a specific offer of assistance, like residence, employment, transportation, counseling, mentorship, etc. This letter will accompany the parole applicant's written "parole plans" detailing their plan for meeting their basic personal, legal, emotional and financial needs upon returning to the community. If you are offering any of these types of support, do not hide or bury this information in the letter because this is the most important part of the letter. The information you provide about your offer should be as specific as possible. For example:

- If you are offering a place to live, state where it is, how many rooms are available, and who else is living there.
- If you are offering a job or an opportunity to interview the person, describe where it is, what they will be doing in that job, and what the starting pay is.
- If you are offering mentorship or counseling, explain your qualifications and how you plan on staying in contact with the person you support.
- If the person you support struggled with substance use at the time of the life crime, the letter might also identify places nearby where treatment can be obtained, including the locations of A.A. and/or N.A. meetings and mental health care providers. This information is critical for showing the Board where the person you support would seek this type of assistance once out on parole.
- If you are able to provide financial support to the person as they reenter the community, be specific about how you will provide that. For example, that you will send a monthly check for \$100.

General Support: A general support letter is one that offers general support, including emotional and spiritual support, or connections to necessary services or resources

in the community. These can be written by family members, friends, neighbors, members of religious communities, or formerly incarcerated individuals. For example:

- If you are a long-time friend or relative of the parole applicant, you will want to explain how you know the parole candidate and exactly how you will offer emotional support to them once they return to the community. For example, you may say that you will drive them to family gatherings, attend church together weekly, or drive them to AA meetings.
- If you have not known the parole candidate for a long period of time, highlight what you know about the individual and what you can offer them specifically once released. For example, if you are willing to be a 12-step sponsor, or you are inviting them to participate in a program or religious community.

Testimonial: Testimonial letters are written by people who knows the parole applicant in a more professional capacity, and are generally not written by family members or friends. There are two types of testimonial letters.

- ***Prison community.*** Educational or vocational instructors, volunteers in self-help and therapy programs, work supervisors, correctional officers, and other people in prison who have been helped by the person seeking parole offer some of the best current evidence of how an individual gets along with others and how he or she approaches his or her responsibilities. Many times, these people have had the opportunity to observe a particular individual over a long period of time and can either talk about positive changes they have observed or discuss the individual's consistently positive conduct throughout a variety of situations. These letters can also help minimize the impact of negative information, such as 115s or 128As, either by providing important background information or by explaining how the individual has changed in the period since those write-ups occurred.
- ***Someone familiar with the case over a long period of time.*** Typical writers of these testimonial letters include the defense attorney, judge or prosecutor at the time of trial, investigating officers, or jurors. These letters, unlike parole plans or general support letters, may be able to explain the parole candidate's role in the life crime without appearing overly biased in the individual's favor. Many times, the people involved at the time of trial did not expect the individual to remain in prison decades later, and many times they will explain why the individual has done enough time for his or her role in the crime. Since some of these letters will be from the same part of the community as the Board, their input may be very influential.

II. What to Include in Your Letter & Where to Send It

Regardless of the type of letter that you are providing, below are some guidelines on the information that you should include in your letter, how to format and address it, and where and when to send it.

What to Include in Your Letter

- At the top of the letter, include the date, your full name, and contact information (address, phone, and email). You can also add a title: “Letter of Support for [Full Name] [CDC Number].”
- Open with “Dear Commissioners” or “To the Board of Parole Hearings.”
- State who you are and how you are related to the person for whom you are writing the letter. If you have stayed in contact over the years, it is helpful to say that.
- Briefly explain your personal knowledge of how the person for whom you are writing the letter has positively changed during their incarceration, and why you believe they are ready to be released.
- At the end of your letter, please write your full name and sign it.

What *Not* to Include in Your Letter

- Do not say anything to suggest that the crime was not serious, or that the person for whom you are writing had only limited or accidental involvement, or that they are serving too much time. Do not refer to the crime as a “mistake.”
- Do not state that the person for whom you are writing has always been a “model prisoner,” especially if that has not always been true. The Board tends to give little weight to such statements when made by supporters, and may even react negatively if the person’s prison record has not been consistently positive.
- Do not say anything that sounds like you are directing the Board how to do their job. Instead, focus on helping them see how much you care about the person for whom you are writing the letter, the positive things you personally know about them, and how you will provide support.

When and Where to Send Your Support Letter

People preparing to go to the Board should start gathering support letters once they know their hearing will be scheduled within 8 or 10 months. Ideally, your letter of support should be dated no earlier than 6 months to 1 year in advance of the hearing. If you have written a letter of support for a prior hearing, you should either write an updated version or a short letter to say that your support (or offer) from the prior letter (specify the prior date) is still valid. While the content of the letter can be the same, submitting an update shows the Board that the support you previously offered remains current and reliable.

No matter the date of your letter, you should send your letter to the Board (Board of Parole Hearings, Post Office Box 4036, Sacramento, CA 95812-4036), to the person you support, and to their attorney. At the very least, the person you are supporting should keep a copy of all the letters because, too often, no one else has copies at the time of the hearing. Late letters that get to the individual or their attorney on the eve of the hearing can also be provided to the Board at the time of the hearing. However, sending a letter in advance of the hearing creates a higher likelihood that the Board will have received and read the letter in advance.



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HOW TO WRITE A CLOSING STATEMENT

This Guide is intended to help you through the process of writing a closing statement for your parole hearing. Toward the end of the hearing, you have the opportunity to make a closing statement. Your closing statement is an opportunity for you to give a short statement taking accountability for your crimes, and showing remorse to the victims/next of kin or survivors of your crime.

I. What is a closing statement?

The closing statement is the portion of the parole hearing in which you can speak uninterrupted and unprompted. Your closing statement is an opportunity to remind the Board that you are accountable and remorseful for your actions, and you acknowledge the impact of the harm you caused.

II. When do I give my closing statement?

You, your attorney, and the District Attorney all have the opportunity to give closing statements at the end of the hearing. Your closing statement will be after your attorney's, and before the survivor or victim's next of kin, provide their statements. After the victims/survivors speak, the Board will leave to deliberate before returning and providing their decision.

III. What should I say in my closing statement?

Everyone's closing statement is different, and there is no one "right" way to do it. We recommend centering your accountability and remorse. Focusing on the people you harmed not only gives you space to demonstrate your remorse, but it also helps reinforce your understanding of the commitment offense and insight you have gained. A strong closing statement typically includes: (1) taking accountability for your actions; (2) demonstrating a deep understanding of the impacts on the victims and their next of kin; (3) and expressing genuine remorse for the harm you caused.

IV. What should I avoid talking about in my closing statement?

Your hearing will have already covered most, if not all, of your positive programs and achievements, so we encourage you to focus on your remorse and accountability during your closing statement. Your closing statement is not a good time to clarify answers from your hearing, rebut what the District Attorney said, or make other comments to the Board. If there is something that you think should be covered, but it may come across as argumentative,

discuss it with your attorney beforehand so they can add it to their closing statement. The closing statement is the last thing the Board will hear from you, so it is important to focus your statement on your remorse and accountability.

V. Should I prepare a written statement or speak from the heart?

We recommend that you write your closing statement in advance and read the statement at your hearing. Having a written closing statement helps to ensure that you remain focused on accountability, impact, and remorse. It also may provide a sense of security when it is your time to share. Parole hearings can be very exhausting, so it is nice to not have to worry about what you want to say as the hearing wraps up. When you deliver a clear, well thought out, and focused closing statement, you send a message to the Board that you take this opportunity seriously, from beginning to the end, and have done everything you can to be found suitable for parole.

VI. How should I draft my closing statement?

Everyone has a different approach for processing and communicating difficult emotions. Here are some strategies that we have seen work for people going through the parole process. We encourage you to do what feels authentic and right for you.

- Think about the message you want to send with your closing statement. What do you want your victims/survivors to know about you? What do you want the Board to know?
- Write the first draft without worrying about punctuation, spelling, or how your writing looks. This may reduce barriers to writing and open your creative pathways.
- Revise your drafts until you feel like you have drafted a strong closing statement that is a good balance of accountability, impact, and remorse.
- Avoid using generic language. To help the Board see that your feelings are genuine, use language that is specific and personal. It should be clear that your closing statement could have only been written by you, about the victims/survivors in your case.
- Use active, not passive language. For example, write “I killed my victim,” instead of “my victim was killed.” Using active rather than passive language helps to show the Board that you are not minimizing your role or deflecting blame.

VII. How long should it take me to read my closing statement at the hearing?

You are allowed to speak for 10 minutes. However, generally 3-5 minutes is enough time to communicate accountability, impact, and remorse without being repetitive.



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PAROLE PREPARATION QUESTIONS

At a parole hearing, the Board of Parole Hearings commissioners are seeking to understand whether the parole candidate has an adequate understanding of who they were prior to their commitment offense, how their life prior to the commitment offense impacted their choice(s) to commit harm, why they committed the commitment offense, and how they have addressed those factors during their incarceration. The Board wants to hear a story of transformation that explains who the parole candidate used to be, how they came to be that way, and how they have since changed, such that they no longer pose a current risk to public safety. The following Parole Preparation Questions are intended to guide parole applicants in beginning to tell that story of change. By the time of the parole hearing, the parole candidate should be ready and able to answer each of the following questions.

1. What causative factors in your childhood/upbringing contributed to your crime? Specify how those factors contributed.
 - A **causative factor** is an “external event” or experience that contributes to who a person is at any given point in time. Potential causative factors include: substance abuse, gang membership, criminal thinking, anger leading to violence, domestic violence, unhealthy relationships, and codependency. These sometimes develop in response to traumatic events like: abandonment, rejection, abuse (physical, emotional, or sexual), or issues in relationships with parents or siblings.
2. What character defects or negative personality traits contributed to your crime and how did they contribute?
 - 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 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. A list of common character defects and negative character traits is enclosed at the end of this Guide.

3. Have any of those same character traits contributed to misconduct in prison (including things you were never caught for)? If so, how?
4. What do you understand about the impact your actions had on the victim(s) of your crime or the victims of other misconduct, and how have you attempted to make amends to them?
5. How have you addressed the childhood/upbringing factors and character traits that contributed to your violence and crime since you have been in prison?
6. What tools or coping mechanisms do you have now that you didn't have at the time of the crime (or at the time of prison misconduct), and are there specific programs that you credit for gaining those coping mechanisms?
 - **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 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.
7. What challenges do you anticipate upon being paroled?
8. How will your parole plans and support system help you address those challenges?
 - **Parole plans** are detailed plans in which parole applicants outline what their lives will look 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 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.
9. What specific patterns of behavior do you need to prevent relapse to, and how will you prevent relapsing? Include specific warning signs or triggers, as well as your coping mechanisms in response to those warning signs or triggers. Identify which of those triggers or warning signs are about people, places and things (external) and which ones are about your own thoughts, feelings and character traits (internal).

- **External triggers** are situations or circumstances that might result in a relapse to a target behavior. Sometimes, external triggers are environments, 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.
- **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 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. Common internal triggers are feelings of: shame, insecurity, abandonment, rejection, grief, and lack of control.

COMMON CHARACTER DEFECTS & NEGATIVE CHARACTER TRAITS

As discussed above, the Board uses the terms **character defect or negative personality trait** as a way to describe a personal way of being that can cause conflict, criminality, or violence. These traits often arise in response to an unmet need or a negative experience, but once developed, can result harm to the person who has the negative trait and others. In reading the below list, please take care and know that UnCommon Law sees you for more than the traits listed below. That said, this Guide is intended to help you understand the concepts and words with which the Board expects you to have familiarity.

1. Anger
2. Antagonistic
3. Appearances, preoccupied or obsessed with
4. Argumentative
5. Arrogance
6. Beauty, obsession or preoccupation with
7. Bigotry
8. Boastful
9. Boundaries, lack of
10. Choosing easy prey
11. Closed-mindedness
12. Co-dependence
13. Cold-heartedness
14. Communication, avoiding or poor
15. Compassion, lack of
16. Competitive, excessively
17. Conceit
18. Confrontational
19. Controlling
20. Cowardice

21. Critical
22. Crude
23. Deceptive, deceiving
24. Destructive
25. Devious
26. Dishonesty
27. Dishonesty by omission
28. Disorganized
29. Egotistical
30. Envious
31. Faith, lack of faith in God
32. Fanatical
33. Fantasizing
34. Fearful
35. Financially insecure
36. Follow through, failing to
37. Frustration
38. Gluttony
39. Greed
40. Guilt
41. Hatred of others
42. Hatred of self
43. Health, irresponsibility with or neglect of
44. Help, refusing/not asking for
45. Hopelessness
46. Ignorant, Ignorance
47. Ill wishes toward others
48. Impatience
49. Inadequacy, sense of
50. Inconsiderate
51. Indifferent
52. Insecure
53. Insensitive
54. Irresponsible
55. Isolating
56. Jealous
57. Judgmental
58. Knowing it all
59. Laziness
60. Lustful
61. Lying
62. Manipulative
63. Measuring self against others
64. Negative body image
65. Negative thinking
66. Neglectful
67. Opinionated
68. Overcompensating for weaknesses
69. Perfectionism
70. Pessimism
71. Physical appearance, obsession or preoccupation
72. Physical health, neglect of
73. Playing God
74. Positives, not looking at
75. Possessive
76. Pride
77. Reckless
78. Resentment
79. Revenge, vengeful
80. Rude
81. Secretive
82. Seeking attention
83. Self-absorbed, self-centered
84. Self-hatred
85. Self-importance
86. Self-indulgence
87. Self-loathing
88. Self-pity
89. Selfishness, selfish
90. Thoughtless
91. Thrill-seeking
92. Uncompassionate
93. Undependable
94. Undisciplined
95. Unfaithful
96. Ungrateful
97. Unjust
98. Unreliable
99. Untrustworthy
100. Vengeful