



# Bringing About Justice

## How victims can make a difference in the parole process

By Bud Balke, MADD State Director  
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**T**he jury found the offender guilty. The judge handed down a prison sentence. The offender is currently serving the time. If you think you can rest knowing that you've seen to it that the person who killed or injured your loved one has been fully punished, think again.

In 2002, the nation's parole population—those granted early release from incarceration to live in the community under supervision—grew by 20,808, or 2.8 percent. That's almost double the average annual growth of 1.5 percent since 1995, according to the U.S. Department of Justice, Office of Justice.

In fact, 12 states had a double-digit increase in their parole population in 2002, with four states reporting an increase of 20 percent or more. Even more alarming is that of those paroled in 2002, 96 percent had been convicted of a felony.

By the end of the same year, the combined parole and probation populations reached a record 4,748,306 men and women, representing 71 percent of all people under federal, state and local correctional supervision.

As a victim of crime, these statistics can be discouraging; but they don't have to be. Crime victims often have the power to affect a parole board's decision about whether to release an offender. It's just a matter of the victim or the victim's family taking an extra step to see that justice is fully served. And, MADD can help.



### Exercise Your Rights

Often, prison inmates are given the opportunity to go before a parole board to determine if they are eligible for early release. And there are as many rules as there are states in determining eligibility. However, standards across the United States include the offender's sentence, behavior, criminal history, social history, and institutional adjustment including program participation, level of rehabilitation and future goals.

It's common for victims to not take advantage of attending parole hearings. According to the Victim Services Unit of the Missouri Department of Corrections, a victim or victim family will attend only one of every 30 hearings. Although that trend appears to be declining in the past few years, a great many opportunities are being lost in seeking full justice. And many victims have later said that they regret not participating, because some offenders have been released with no input from the victim and gone on to commit numerous crimes before the criminal justice system could again take hold.

While some victims are only concerned with the offender spending at least some time incarcerated, others feel that parole boards represent the last opportunity to see that justice is carried out. Presenting impact evidence, also known as a victim



impact statement, is a way for a victim to provide information to paroling officials to help them determine the appropriate punishment for the crime committed.

Like judges, parole officials cannot make accurate and informed decisions without considering victim impact evidence presented in a victim impact statement.

Not to be confused with the victim impact statement submitted to the court at sentencing, the statement submitted to the parole board is an “updated” victim impact statement that helps to demonstrate the ongoing financial, emotional and physical effects of the crime since sentencing.

In some states, victim impact statements before or during parole hearings can be done in person by the victim or as a written, audiotaped or videotaped statement.

Submitting a victim impact statement for parole hearings can help in a victim’s healing journey and in getting closure on feelings toward the offender and the criminal justice system.

Just ask Avis Lowe and her family. They attended the parole hearing of the offender who killed Avis’s son at a highway construction site in 1995.

“It was very important to attend a parole hearing, because I was able to say in my own words how my family and I were affected and how it continues to change your world,” Avis says. “If you don’t go, they [the parole board] really will consider releasing the offender early.”

### Help Before and During a Hearing

Avis and her family did not attend the parole hearing alone. Nor did they go blindly into the process. Throughout the whole process, a MADD Victim Advocate assisted them.

MADD Victim Advocates can help victims and their families register with the right agencies to receive notification of the offender’s parole hearing schedules, as well as other pertinent information such as the escape, death or transfer of the offender. Advocates also can accompany victims when they appear before the hearing board.

The role of the victim advocate, however, is not to take the place of the victim

or family members who want to speak at the parole hearing. MADD is there to support and, if the family requests it, to make a concise and factual statement for no parole. The advocate also is there to answer any questions or address any concerns victims may have.

Victims and their families find that working with a MADD Victim Advocate can be very helpful and comforting, especially when attending the actual hearing. Most states hold parole hearings where the offender is incarcerated. It can be emotionally overwhelming for victims of crime to be inside the walls of a prison. A victim advocate can help prepare victims for the procedures, sights and discomfort of a prison, as well as console them while they are there.

Like Avis, Sherry Butcher also received help from MADD. When it was time for the parole hearing of the offender who killed her son, Sam, Sherry was unable to attend. At her request, a MADD Victim Advocate made a statement on her behalf and parole was not granted. “We really appreciated MADD being there for us,” Sherry says. “We thank God for MADD. They were there when we needed them most.”

### You Can Make a Difference

One need only look at the state of Missouri to see how effective it is for victims to participate in the parole hearings of their offenders. In more than 12 years, there has not been one early parole release of an offender in Missouri when at least one victim and one member of MADD Missouri have been present at the parole hearing.

For those victims who feel it is important to see that the offender who killed or injured their loved one is punished to the full extent, participating in the parole proceedings is critical. To not participate is not only an injustice to individual victims, but also a disservice to society. ■

## Tips on Participating in the Parole Process

- Victims need to exercise their right to be present at parole hearings.
- Address letters to the director of the Department of Corrections and to the chairperson of the probation and parole boards.
- Bring a photo of your loved one to show the parole board the person who was killed or injured. (Frames and glass are not allowed in prison, so remove the photo from its frame.)
- On the day of the hearing, a victim advocate may submit a letter requesting no early parole.