

# GENERAL QUESTIONS



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## 1. Who pays for the lawyer for a parole applicant?

The bill states that an applicant **“has a right to legal counsel”** but the State may (but is not required to) provide one.

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## 2. How much will it cost to run a parole board annually?

The annual cost of parole in other states is **10–12% of the annual cost of incarceration**. The cost will depend on annual salaries for parole board members, staffing, transport and victims support services.

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## 3. What will be the economic impact of parole on Maine?

Maine economists estimate that the release of 100 people on parole would generate **\$14.7 million annually** for the state economy.

According to the estimated \$78,000 that it costs to incarcerate one person for one year, the annual savings would amount to approximately **\$13.3 million**.

Adding together the additional money plus the costs saved, **parole would lead to an aggregate \$28 million addition to Maine’s economy**.

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## 4. How many states don’t have parole?

17 states, plus Washington D.C. and the federal government, abolished parole between 1976 and 2000. Mississippi, one of the states that abolished parole in 1995, restored parole in 2008. Maine would follow this established precedent of **acknowledging the failures without parole** and restoring the process.

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## 5. Has the Maine DOC supported parole restoration in the past?

Yes, in 1981. It only took five years for the DOC to realize that lawmakers had made a mistake. According to testimony provided by Kevin W. Concannon, **Commissioner of Mental Health and Corrections**, parole should be reinstated as “a method of assuring both the accountability of such a system of release to all of the parts of the criminal justice system as well as one that would appropriately define the limits of discretion of the board of supervised prison term release [parole board]”;

Concannon went on to say that “the board of prison terms, analogous to the parole board, would be made up of five members who would serve staggered terms appointed by the Governor... **In making its determinations [the parole board] would be acting upon and relying upon the guidelines and criteria for release, supervision and revocation as established by the commission on supervised release standards**”;

Finally, Commissioner Concannon cited parole as a “major absent tool **for both rehabilitation and, more importantly, public safety.**”

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## 6. How would parole impact judicial review using the Hewey analysis?

Hewey Analysis step-by-step:

1. Judge looks at where the particular crime lands on the spectrum of seriousness
2. Judge individualizes the response to the specific person for the specific crime
3. Judge decides whether any part of the sentence should be suspended.

*Note: There is no step 3 in murder cases.*

According to Jeremy Pratt of Maine Association of Criminal Defense Lawyers (MACDL), Step 3 would be removed under parole, **which is already the case in murder charges**. Pratt said there is **no level of supervision** for anyone who is convicted of murder. It is against the law.

Rehabilitation is one of the factors judges are required to take into account when rendering a sentence. **Parole will do a far better job of allowing for individualizing sentences by judges.**

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