

On the Parole Board: Reflections on Crime, Punishment, Redemption, and Justice. By

Frederic G. Reamer.

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Few things, it would seem, ignite the criminological imagination quite like membership of a parole board. In the early 1970s, Roger Hood was so troubled by his experience of the Parole Board of England and Wales that he would later question the foundational assumptions of the parole system, as it then operated, in his lecture *Tolerance and the Tariff* (1974). More recently Roy King (2018) has offered a fascinating comparative perspective on his two terms as a Parole Board member (1968-72 and 2001-7), a period of fifty years during which the parole system has faced sustained criticism of its transparency, independence, and the sophistication of its decision-making processes. This is perhaps unsurprising when theory meets practice. As an area of penal policy that impacts so directly upon the liberty of the individual, parole board decision-making inevitably occupies an uncomfortable position between the hopes and expectations of prisoners and the broader interests of the state and general public. Parole has, and always will be, bound up with prevailing conceptions of justice, fairness, and moral justifications for punishment.

In this largely autobiographical work, Frederic Reamer grapples with such questions and reflects upon twenty-five years of service as a member of the State of Rhode Island Parole Board. For readers unfamiliar with the US federal system of government, the administration of parole law, policy and procedure is determined at a state level. In the State of Rhode Island, most inmates serving more than six months of imprisonment are eligible for a parole hearing after serving one third of the custodial element of a court-ordered prison sentence. The Department of Corrections calculates parole eligibility dates and staff at the Parole Board

Office are responsible for the preparation of parole dossiers which typically include documentation prepared by the Attorney General's Office, the local and state police departments, the courts, and the Department of Corrections. Letters submitted from family, friends and potential employers may also be included, and victims who wish to share their views with the Board may do so in person or in writing. It is the responsibility of the Parole Board, typically sitting in three-member panels, to decide upon the release of eligible prisoners and the recall of prisoners accused of parole violations. Parole decisions are made on the basis of five criteria: conduct whilst in prison; the seriousness of the index offence; the risk of future offending; the prisoner's role within the community on release, with particular reference to employment, place of residence and access to specialist services; and the satisfactory completion of any restitution imposed by the sentencing court (pp. 18-19).

Drawing upon detailed and often harrowing case notes, Reamer offers a very human account of the parole process in Rhode Island; of the prisoners, victims, families and defence lawyers that walk through its doors on a daily basis; of the personal narratives of hope, despair and fallibility that define the administration of criminal justice; and of the emotional strain of engaging with a state authority that is at once a bridge and a barrier from prison to the community. This insight is perhaps the most significant achievement of *On the Parole Board* – even within remote and bureaucratic systems, inter-personal and relational factors still flourish. Chapter 1 begins with a short retrospective on Reamer's long career in social work and repeatedly pivots to a chance meeting with one particularly enigmatic prisoner, Dave Sempsrott, who would come to exert a powerful influence over his outlook as a parole board member. Sempsrott, an inmate at Missouri State Penitentiary, was serving multiple life sentences for the horrific murders of two adults and a four-year-old-girl (pp 22-34). Initially stern and uncommunicative in group therapy sessions, Sempsrott would eventually reach out

to Reamer and, across an exchange of letters lasting more than twenty years, reflect upon his offending, drug use and struggle to come to terms with the events that defined his life – past, present and future.

This profound sense of moral ambiguity pervades *On the Parole Board*. Chapter 2 examines widespread notions of ‘good’ and ‘evil’ and the inherent challenge of applying this moral framework within parole settings given the complex histories of poverty, domestic abuse, struggles with mental health, and drug and alcohol use reported by so many prisoners. Chapter 3 goes on to examine the role victims play in the parole process. The victims’ movement has profoundly reshaped the parole process in Rhode Island, which now affords victims of crime a degree of influence in parole cases that is rare in European jurisdictions. Since the 1973 US Supreme Court decision in *Linda R.S. v Richard D*, most States have legislated to give victims legal standing in criminal cases. This was given added political emphasis by The Task Force on the Victims of Crime established by Ronald Reagan in 1982 and the *Crime Victim Rights Act 2004* passed by President George W. Bush, which considerably strengthened the rights of victims in criminal proceedings (p.112). Chapters 4 and 5 explore the central role punishment, shame, redemption and hope play in parole hearings, and Reamer offers an honest account of the decision-making framework that guided his approach during a long tenure on the Rhode Island Parole Board. Chapter 6 ends on a largely optimistic note, with a discussion of justice and the very real challenges facing the Rhode Island Parole Board in dealing with racial disparities, a chronic lack of social services – particularly community-based mental health services–, and the extraordinarily high rates of incarceration found in the United States when compared with other developed nations (p.253).

This is an accessible and engaging book that will appeal to academic lawyers, criminologists and practitioners with a comparative interest in parole decision-making. The detailed case notes and extended transcripts from parole board hearings that thread throughout the text offer fresh insight into a sphere of penal policy that is all too often secretive, opaque and little understood by the general public. But herein lies the major shortcoming of *On the Parole Board*. By adopting such a descriptive posture, Reamer offers a largely uncritical account of the Rhode Island parole system and fails to locate his reflections within a broader socio-legal context. There is little reflection upon the confused normative basis of parole, or upon the difficulty identified by Hood (1974) of parole boards re-sentencing prisoners without the procedural safeguards typically found in a court of law. Observations such as the following are common throughout the book and surely demand further exposition:

Did I think he posed an ongoing risk to the general public and was likely to recidivate? No. Did I think that [he] had genuine insight into his crime and the circumstances that led up to it? Yes. And then I asked myself the hardest question: Did I think he had been punished enough and should be granted parole after serving only one-third of his fifteen-year sentence. No. (p.170)

What is the parole system seeking to achieve in such cases? Too many aspects of parole policy and procedure go undiscussed: If parole is a forward-looking exercise, should victims have such an influential say over parole decision-making? Is it significant that victim testimonies are heard directly before meeting prisoners, and what impact, if any, does this have upon the Board's risk-focused procedures? Are moral imperatives such as shame, redemption and 'good and evil' consistent with a system of parole based upon, and drawing legitimacy from, actuarial techniques? Perhaps of greater significance, the book fails to deal adequately with how the parole system itself has become a tool of penal control, radically extending the reach of the carceral state into the everyday fabric of community life in ways described so powerfully by ethnographers such as Alice Goffman (2014).

For these reasons, those seeking a more hard-edged and analytical treatment of parole in the United States are likely to be disappointed. By the conclusion, the reader is left in little doubt that parole is an inherently challenging pursuit but with little understanding of the fiercely contested dynamics of power, authority, legitimacy and fairness that lurk beneath the surface of contemporary policy and practice. The penal zeitgeist surely demands far greater scrutiny of so-called ‘back door sentencing’ and the legitimacy of this little understood arena of criminal justice administration. While enjoyable, *On the Parole Board* often provokes more questions than it answers.

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References

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