



Dear Members of the Parole Board,

We are writing to you in this anxious, troubled time, to ask that you focus on the review of individuals serving lengthy sentences for crimes they committed while they were still children, especially those who are particularly vulnerable to developing serious complications due to COVID-19. As any parent knows, children are fundamentally different from adults. They do not have the same ability to assess risks and account for future consequences as adults, they are more susceptible to peer pressure, and they are unable to escape traumatic home environments. They are also uniquely capable of positive transformation and rehabilitation. What a child does at the age of thirteen, fifteen, or seventeen does not define who that child will become. This knowledge about the fundamental difference in children and adults forms the basis for two U.S. Supreme Court decisions¹ that struck down life-without-parole sentences for the vast majority of children, and the tremendous nationwide momentum away from extreme sentences for children in favor of more age-appropriate and trauma-informed accountability measures. As COVID-19 spreads rapidly through prisons across the nation, there has never been a more urgent need to expedite the review and release of individuals incarcerated for crimes committed as children.

We know from the data that the children who end up in our justice system are often our most vulnerable citizens, having experienced high rates of early childhood trauma and unmitigated [adverse childhood experiences](#). Studies have shown that about [90 percent](#) of children in the juvenile justice system have experienced at least two prior childhood traumas, which include anything from physical or sexual abuse to having an incarcerated parent or living with a family member who is addicted to drugs or alcohol. This history of trauma, coupled with the fact that youth who end up in the justice system have [significantly higher rates of health disorders](#) including asthma, pneumonia, hypertension, and diabetes, make them particularly vulnerable to developing [complications from COVID-19](#).

Tragically, we are aware of at least [one case](#) of a person who was weeks away from release after having been approved for parole from a life sentence he received for a crime he committed at 16, but died due to complications from this insidious virus. Bill Garrison had spent more than 44 years in prison. With thousands of infections reported in prisons

¹ *Graham v. Florida* (2010) and *Miller v. Alabama* (2012). If you are interested in viewing a Parole Board Training video that summarizes these U.S. Supreme Court cases specifically for parole boards, please contact Preston Shipp at pshipp@fairsentencingofyouth.org.

across the country, we implore you to do everything within your power to ensure that tragedies like Mr. Garrison's death do not happen again.

During this public health emergency, every effort must be made to reduce the incarcerated population, for whom social distancing is simply impossible. Parole boards should give special and expedited consideration for release to all persons at an elevated risk of contracting COVID-19 and/or experiencing more serious symptoms thereof, either because of age or because of underlying health conditions. Furthermore, parole boards should grant immediate release to persons who have already been granted parole upon the condition that they complete a program prior to release, as these people have been deemed suitable for release and such programming may currently be suspended and should not be an obstacle to prompt release.

With regard to people who were still children at the time of their crimes and have reached their release eligibility date, parole boards should operate with a presumption in favor of release, unless clear evidence based on current conduct demonstrates that the person's release poses a threat to public safety. Because all youth, even youth who commit serious crimes, are capable of maturation and positive change, the facts of the underlying crime alone should not be the basis on which a parole board denies release.

With respect to hearing processes, parole boards should establish video hearings to ensure the continuation of parole consideration during this time when social distancing is so crucial to minimizing the public health and safety threat of COVID-19 contraction in prisons. But the change to video hearings and any other parole policies or procedures that are adopted in response to COVID-19 should be viewed as emergency measures. If state parole processes occurred via in-person hearing or interview prior to the COVID-19 pandemic, in-person hearings and interviews should resume as soon as reasonably possible. And any individuals who are denied parole during this emergency period should be eligible for parole consideration again within a year, once normal policies and procedures have resumed.

Finally, for people who have already been granted parole, parole boards should temporarily suspend all supervision fees through the rest of 2020, potentially through 2021, to help ease the financial hardship during this time of public health and economic crisis. We urge you to follow the leadership and example of the [Arkansas Parole Board and Department of Community Corrections](#), which has already taken this step. Finally, parole boards should not revoke parole for technical violations until this public health crisis has abated.

Regardless of our station in life, we are all living through a public health emergency without modern precedent, and people who are incarcerated are particularly vulnerable. It is incumbent upon those with authority, including parole board members, to act boldly and

expeditiously in order to prevent the spread of COVID-19 and the unnecessary loss of more lives.

Thank you for your time and attention to this pressing human rights issue.

Sincerely,

Campaign for the Fair Sentencing of Youth

R Street

Criminal Justice Policy Foundation

Church of Scientology National Affairs Office

National Center for Transgender Equality

National Association of Criminal Defense Lawyers

Citizens United for Rehabilitation of Errants

Project Hope to Abolish the Death Penalty

National Disability Rights Network

Wisconsin Alliance for Youth Justice

Safe & Just Michigan

Michigan State Appellate Defender Office

The Forum for Youth Investment

School Justice Project

Center for Disability Rights

Re-Entry Roundtable for Prince George's County, Maryland

Welcome Home Reentry Program, Catholic Charities, Archdiocese of Washington

Human Rights for Kids

Campaign for Youth Justice

The Sentencing Project

Coalition for Juvenile Justice

Operation Restoration

Juvenile Justice Coalition

Twin Cities Nonviolent

The Innocence Project

Rights4Girls

#Cut50

Twin Cities Prison Ministry

Union for Reform Judaism

SparkAction

No Exceptions Prison Collective

