



From the President

Over the past few months, our Association had the pleasure of working with The Council of State Government for a series of open forum, virtual discussions surrounding topics of interest to Chairs' and Executive Directors of some of the United States Paroling Authorities. As we have often stated, the networking opportunities that are available through APAI are a critical benefit of being involved with the Association. In a time where we have not been able to come together in almost two years, these conversations proved even more valuable than we realized they would be. Senior Legal and Policy Advisor for CSG provided a brief summary regarding the partnership:

"Working with the Association of Paroling Authorities International (APAI), The Council of State Governments (CSG) Justice Center convened a series of four videoconference conversations throughout the second half of the year with Chairs and Directors of paroling authorities and their primary staff to facilitate peer learning. Additionally, CSG Justice Center staff conducted a short, written survey of APAI members. These efforts involved close collaboration with the Robina Institute of Criminal Law and Criminal Justice (Robina), and the Center for Effective Public Policy (CEPP).

States participating in the peer-to-peer conversations were: Maryland, Kansas, Texas, Georgia, California, Connecticut, Louisiana, New York, Washington, Rhode Island, Michigan, Pennsylvania, Utah, Ohio, Colorado, Hawaii, Kentucky, and Illinois. Each conversation was very positive, with camaraderie and candid sharing among the participants, who expressed gratitude for the opportunity to connect. They talked about the pressure to lower populations during the pandemic; the varying responses to that pressure from governors, DOCs, and courts; and the gains they made in system collaboration and practices that they want

to sustain. Notably, the latter included more measured responses to technical violations and greater use of VCT even in agencies that have been using VCT for years.

Findings from the written survey included:

- To reduce prison populations during the pandemic, states most commonly relaxed revocation criteria and accelerated review of people who were previously denied parole.
- A majority of respondents cited technology and lack of face-to-face interactions as key challenges in 2020.
- Paroling authorities most frequently supported the expansion of policies for parole of elderly and medically vulnerable populations as a future policy change.
- About two-thirds of paroling authorities analyze the predictive power of risk assessment tools, but few evaluate the impact of the parole process on individuals' outcomes."

We thank Carl and his team for allowing our organization to be a part of the important conversations and are hopeful that we can use this as a model for connection in the future with our members. We also would like to thank those who participated and made each conversation robust and meaningful. Lastly, as always, we have gratitude to Ed Rhine and Richard Stroker for their contributions and insight. I look forward to seeing each of you, as we come together in June for our 2021 Annual Training Conference. The conference will be a much needed time to come together with those from our field, who are facing the issues we are facing.

David Blumberg
APAI President

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TO-DO IN 2021

- RENEW APAI MEMBERSHIP
- SERVE ON APAI COMMITTEE
- URGE FELLOWS TO JOIN APAI
- MAKE PLANS TO ATTEND THE 2021 ANNUAL TRAINING CONFERENCE IN ARLINGTON JUNE 13 – JUNE 16, 2021

MEMBERSHIP FEES*

INDIVIDUAL	\$65
ORGANIZATIONAL	
(UP TO 8 MEMBERS)	\$375
(9 TO 13 MEMBERS)	\$475
(14 TO 20 MEMBERS)	\$575
ALUMNI	\$40
ASSOCIATE	\$40
STUDENT	\$15

*Fees are on a per year basis.

Member Spotlight

Edmund "Fred" Hyun, Chair, Hawai'i Paroling Authority

by: Ashley Koonce, Executive Director, APAI

Governor David Ige appointed Edmund (FRED) Hyun to serve as Chair of the Hawai'i Paroling Authority for his second term until June 30, 2024. The five-person authority is an independent quasi-judicial body, which, for administrative purposes only, is attached to the Department of Public Safety (DPS).

Fred was born and raised on the island of O'ahu where he attended the University Lab Schools. He graduated from the University of Hawai'i at Mānoa with a degree in psychology and later earned a master's degree in social work. After completing his undergraduate requirements in 1971, Fred enlisted in the Hawai'i Air National Guard and deployed to parts of the Far East, Pacific and U.S. Mainland until his retirement in 1993.

Upon returning from his initial active duty, Fred was hired by the Hawai'i Youth Correctional Facility as a Youth Corrections Officer and in 1975 started the first halfway house for committed wards until 1980. He then was hired as a Supervisor with the Oahu Intake Service Center (OISC) until 2001, when he became the Hawaii Intake Service Center Manager until his retirement in 2003. After his retirement he held many positions with Akal Security (Pacific Region) and the Honolulu Liquor Commission.

Currently, Fred sits on the Holomua Pu'uhonua Committee, Governor's Committee on Crime, Professional Development Committee (PDC) for the Association of Paroling Authorities International (APAI) and most recently a member of Executives Transforming Probation and Parole (EXiT). Previously Fred served on the Corrections Population Management Commission and House

Concurrent Resolution (HCR-85) Task Force. Fred was also recognized by Corrections Digest (June 1999) as one of Best in Business and Community Service Award from the Hawaii Mental Health Association in 1983.

Fred has been an active member of the Association for over five years and has been instrumental in the development of the program and agenda for the Annual Conference as a member of the PDC.

He envisions that the Hawaii Paroling Authority will be recognized as a national/international model for ReEntry. He works closely with the Public Safety-Corrections programs, as well as community advocates.

He values the networking and resource sharing that are needed to develop and improve professional standards and operations within the field of parole. Through relationships and colleagues from APAI he has enjoyed learning about other countries and state's practices and cultural practices. He was able to confer with the State of California and incorporate information from paper reviews, which helped comply with Hawaii Supreme Court orders for releasing inmates from custody during COVID.

Fred was also recently appointed as the Governor's Special Master, to assist in overseeing the Department of Public Safety. Here he was tasked with assessing the operations of the administration, corrections, and law enforcement divisions, including strengths and weaknesses. He was also tasked with investigating the department's COVID-19 response. He was then appointed as Acting Director of the Department, to continue with his assessment and recommendations. We are proud of your appointments, Fred, but are so happy to welcome you back to your position of Chair of the Hawai'i Paroling Authority.



JANUARY 2021

Victim Restitution

Four Lessons from Hawai'i to Ensure Financial Justice for Crime Victims

Briefing prepared by Council of State Governments (CSG) Justice Center in partnership with the State of Hawai'i's Crime Victim Compensation Commission

"When a crime is committed, the victim of the crime pays a price—whether physically, emotionally, financially, or a combination of these. For many crime victims, restitution is the primary pathway to mitigate the financial impact of the crime; however, the restitution process is often inefficient and fraught with institutional barriers. One state—Hawai'i—decided to tackle these issues head on and ultimately increased the number of people convicted of a crime who pay restitution and the frequency and amount of restitution disbursed to crime victims. Hawai'i's four-pronged approach combined institutional chang-

es with interagency collaboration to prioritize restitution in the state. As a result of Hawai'i's efforts, the state has upended commonly held assumptions about the ability of people convicted of a crime to pay restitution. Other states can take similar actions to improve their restitution programs to ensure financial justice for crime victims and accountability for people convicted of crimes."

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ASSOCIATION OF PAROLING AUTHORITIES INTERNATIONAL

• NEW DATES •
2021 ANNUAL
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ARLINGTON, TX | JUNE 13-16, 2021

Finding Balance

Through Stakeholder Engagement

by: Francis Abbott, Executive Director Louisiana Board of Pardons & Committee on Parole

Public safety is at the heart of what we do as discretionary releasing authorities. Two of the main factors to consider when making these determinations are the needs of victims and survivors of crime and the benefits of continued incarcerations of offenders who have adequately prepared to return to society. While at the end of the day one side often leaves our hearings disappointed with the decisions we make it, is often a better decision because both sides are there.

possibility of parole who suddenly found themselves with parole eligibility after the rulings in Miller and Montgomery. Services start with legal representation provided through an innovative partnership with the Louisiana State University Parole Clinic Program, in which law students are allowed to represent offenders before the LBPCP. We work closely with both the LSU Parole Clinic and the LPP to provide docket information to ensure the law students have enough time to engage their clients and conduct the



Abbott, Executive Director of LBPCP (left) and Billy Joe Harrington, Distict Attorney for the 16th Judicial District

The sharing of information is important in building confidence in what we do. I find that when all parties are informed, decisions rendered are taken better by opposing sides. This can be accomplished by identifying stakeholders and engaging them in a manner that is beneficial for their organization as well as ours. Two of the major stakeholders for the Louisiana Board of Pardons and Committee on Parole (LBPCP) in recent years have been the Louisiana Parole Project (LPP) and the Louisiana District Attorneys Association (LDAA).

Louisiana Parole Project, is a nonprofit that was initially created to respond to the needs of Juveniles sentenced to life without the

necessary due diligence to represent an individual in cases of this magnitude. LPP also engages these offenders prior to hearings and develops tailored reentry plans based on each offender's needs. This reentry plan along with the law student's case are presented to the LBPCP for consideration when deciding whether or not to grant their release. Upon release LPP provides an array of services including housing, intensive reintegration programming, and employment. This is all done with the final objective of strengthening independence. The unique part of LPP is that a majority of its team are formerly incarcerated individuals. The LPP has transitioned over 160 individuals from prison back into communities and less than 1% of their clients have been rearrested.



Abbott, Executive Director of LBPCP (left) and Billy Joe Harrington, Distict Attorney for the 16th Judicial District

When asked about our efforts, Andrew Hundley, the Executive Director of the LPP and former Juvenile Lifer had the following to offer, "Our mission isn't simply to gain freedom for men and women who have turned their lives around. We want to ensure they have the skills and prospects to reach their greatest potential upon release. We have the same objective as the Parole Board in that we want to ensure that public safety is strengthened through our work."

The second organization mentioned, Louisiana District Attorneys Association, provides valuable training to its members through a number of channels and has served as a central contact for our organization to disseminate information to the 30 different district attorneys across the State of Louisiana. Our most recent collaboration came at the beginning of the Covid-19 pandemic when law enforcement organizations were asked to alter their practice to lower the prison populations. As outlined in Louisiana's Revised Statutes, the LBPCP is required to provide 60-day notification to district attorneys for parole hearings originating in their jurisdictions. We were able to agree on 30-day notification for offenders with non-violent and non-sex offense convictions.

This enabled us to expedite hearings in the early months of the pandemic, providing offenders an earlier opportunity at release. We have also established data sharing practices that provide information through the use of cloud-based data storage. This practice delivers pertinent information to district attorneys about the offender's time while incarcerated including, but not limited to, disciplinary conduct, programs of completion, and job history. It is our belief that this information can bring balance to the input provided by district attorneys. In addition to these collaborations, we have worked together on a number of pieces of legislation recently giving individuals providing testimony to the LBPCP the ability to participate in hearings virtually. This legislation stemmed from a Governor's Executive Order in response to the Covid-19 Pandemic and now solidified with ACT 6 of the 2020 Second Extraordinary Session has resulted in 281% increase in district attorney participation and 129% increase in victim participation for our hearings. Loren Lampert, Executive Director of the LDAA had the following to say about our work "I can say without hesitation that the leadership and staff of the LBPCP have been extremely accommodating to the Louisiana District Attorneys in the sharing of information and enhancing access to the proceedings for prosecutors and victims. We have seen a marked increase in both victim and prosecutor participation, in large measure directly attributable to the intentional efforts of Chairman Ranatza, Executive Director Abbott and their staff. We look forward to working with our pardon & parole partners in the future to enhance public safety and our collective service to our citizens."

These are only two of numerous stakeholders that we team up with regularly with the goal of making our hearings fairer and more equitable for all concerned parties.

CALL FOR ARTICLES!

**All Submissions are
welcome for consideration!**

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Victims Rights Editorial

Crime Victims' Rights

by: Edie Grunwald, Chair, APAI Crime Victims Committee, Chair, Alaska Parole Board

Crime Victims' Rights come in many forms around the world. As we recently learned in a webinar presented by Meg Garvin on "Victims Rights: The Positive Impact they can Have" as part of APAI's Speaker Series 3, there is little legislation regarding victims' rights as opposed to a defendant's rights.

Training opportunities can be amazing, and this was one of them. One of the take-aways from the training is, "...laws on victims' rights are just words on paper until someone does something..." It takes appellate courts and parole boards to comply and enforce. Compliance is easy, a system can be put in place such as Vines. But to enforce victims' rights' takes a judicial order and/or to do the proceeding over.

"If rights have meaning, then we need remedies."

It takes effort to have choice and voice - we need to fix the system for everyone. Ms. Garvin pointed out we need a remedy, and it must trickle into pop culture for social change to have a semblance of "knowing your rights."

Here are a couple of success stories via the Maryland Crime Victims Resource Center, Inc. (MCVRC) working on behalf of victims' rights. When it comes to appellate decisions, sometimes "no decision" can have unintended consequences; thus, I included a "fail."

"A Do-Over" in the Parole Process

MCVRC Ensured Victim Participation In The Parole Process

MCVRC ensured victim participation in the parole process, when, after realizing that an inmate was paroled without any input from the victim's family members, appealed to the Parole Commission for a re-hearing. The Commission agreed to re-hear the inmate's parole status, and after listening to powerful testimony from the murder victim's son and daughter-in-law, this time denied the inmate parole. (MCVRC, 2021)

"Post-conviction, and time for sentencing"

Success! Maryland Crime Victims Resource Center, Inc. won a ruling in the Court of Special Appeals when it found that family members of two homicide victims could play a video montage of

their loved ones set to music, at sentencing, and that doing this was neither prejudicial or inflammatory. (MCVRC, 2021)

Fail! The Alaska Court of Appeals directed a superior court to reconsider the plea agreement, which was rejected by the judge. The defendant's appeal had several points. The Court of Appeals opted not to resolve the issue of the video the victim's played. The lack of resolution results in victims now opting NOT to present a video as part of their victim statement for fear of an appeal.

"This petition for review involves a superior court's rejection of a plea agreement in a murder case. For the reasons explained in this opinion, we grant the petition and vacate the superior court's decision. On remand, we direct the superior court to reconsider the plea agreement with the guidance provided here."

"...Both parties also point to the role that emotion may have played in the court's rejection of the plea agreement, and they question the ability of the judge to neutrally assess the appropriateness of the negotiated sentence in the immediate aftermath of an emotionally fraught sentencing hearing involving a memorial photo montage of the victim, set to music. We agree with the parties that these are important issues. However, we conclude that we do not need to resolve all of these issues at this time. Instead, we conclude that the appropriate course of action at this juncture is to alert the trial court to the more immediate legal errors in its stated reasons for rejecting the plea agreement, and to remand this case to the trial court for reconsideration of the plea agreement with the guidance provided here." (DJT, Pet v. SOA, Res, 2018)

References

DJT, Pet v. SOA, Res, Trail Court 3AN-14-8238CR (Alaska Court of Appeals No. A-12853 Jan 5, 2018).

MCVRC. (2021, Jan 23). Retrieved from <https://www.mdcrimewictims.org/success-stories/mcvrc-ensured-victim-participation-in-the-parole-process/>

MCVRC. (2021, Jan 23). Retrieved from <https://www.mdcrimewictims.org/success-stories/court-of-special-appeals-allows-family-of-homicide-victims-to-play-a-video-montage/>

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