



**Written Statement of Maria Goellner, Esq.
Pennsylvania State Policy Director, FAMM
Virtual Public Hearing Before the Pennsylvania Sentencing Commission
June 1, 2022**

I thank Chairman Stephens and the [members and staff of the Pennsylvania Commission on Sentencing](#) (“Commission”) for considering this statement regarding the Proposed State Parole Guidelines and Recommitment Ranges. FAMM applauds the Commission for seeking public input.

FAMM is a nonpartisan, nonprofit organization that advocates sentencing policies that are individualized and fair, protect public safety, and preserve families. Thousands of Pennsylvanians support FAMM. Our members include people from all walks of life, including Pennsylvanians with incarcerated loved ones or themselves returning home from prison. Many of our families have suffered from both incarceration and crime; experiences which are not mutually exclusive.

Parole practices are an extension of sentencing, and too many people in Pennsylvania are serving long prison terms that don’t make communities safer. People who do not pose a risk to public safety often languish in prison. We must act immediately – and not just legislatively but in every way – to begin to remedy Pennsylvania’s decades-long addiction to extreme sentencing.

FAMM recently issued a report, [Time for Justice: The Urgent Need for Second Chances in Pennsylvania’s Sentencing System](#), that outlines our current crisis. We found that Pennsylvania’s prison population has been shaped by some of the harshest sentencing policies in the country. In 2019, Pennsylvania imprisoned more than seven times the number of people than it did in 1970. That growth was driven by punitive policy choices, not increases in crime, and *it did not make Pennsylvania safer*. We urge you to read this report in full and reach out to discuss it further.

Thank you for your hard work and dedication to this body. You have a very important job and there is more that must be done. We urge you to implement the items listed below as soon as possible, to stop the family and fiscal harm occurring in our Commonwealth.



FAMM's Recommendations to the Pennsylvania Commission on Sentencing regarding the Proposed State Parole Guidelines and Recommitment Ranges:

- The Commission should analyze the Proposed State Parole and Recommitment Ranges to determine their impact on our prison population, bed space, costs, and demographics, and make the results of that analysis available to lawmakers and the general public on the Commission's website *before the proposals are adopted* (and ideally before any further notice and comment period begins). Lawmakers and the public should know the full impact of proposed changes before they analyze, comment, or vote.
- *The Commission should not increase prison terms generally, raise the floor on any parole recommitment ranges, or create automatic recommitment ranges (which are essentially [mandatory minimums](#)).* The proposed state parole recommitment ranges would increase incarceration even for technical violations of parole, which includes violations for things such as failure to pay fines, missing an appointment, and other minor infractions.
- In the Commission's own words, "the rebuilding of recommitment ranges should include consideration of successful time on parole and consistent standards for granting credit for time spent at liberty and/or awaiting recommitment."
- The Parole Guidelines should include requirements that people receive adequate preparation before seeing the Parole Board. The process for parole preparation should be clearly outlined and made available for public review and comment. Further, people receive little to no guidance about why they are denied parole. Parole Guidelines should require that a denial of parole always come with clear instructions on what the person should do to be favorably considered in the future.
- The Parole Guidelines should include the cost of incarceration for taxpayers as one of the factors that the Parole Board considers in the parole and recommitment process.
- In many instances, the Proposed State Parole Guidelines and Recommitment Ranges will follow the traditional sentencing guidelines, which themselves recently underwent public notice and comment. Therefore, [FAMM points the Commission to its prior testimony](#), with particular emphasis on not expanding the number of offense gravity scores while narrowing the guideline ranges.
- The Parole Guidelines should not include more recidivist penalties, *i.e.* harsher punishment for second, third, and subsequent new conviction recommitments. If serious and appropriate, the Parole Board already has discretion already to aggravate a recommitment range based on subsequent offenses. The Commission should prohibit this stacking. Additionally, there are scenarios in which an offense would be triple-counted: A person is sentenced for original charge, then the original charge is counted to increase offense gravity score on a second charge, and then counted a third time to raise the recommitment range. Parole Guidelines should avoid this outcome.

- The Commission should make available online all current and proposed psychiatric, impulsivity, and/or risk assessment tools used to evaluate people for parole and recommitment.

FAMM stands ready and willing to provide the Commission with testimony, data, and stories of incarcerated people as they consider these important issues. We also encourage all Commission members and staff to visit with people serving extreme sentences in Pennsylvania prisons, and we are happy to help facilitate this.

Thank you for considering our views. For more information, contact Maria Goellner, Esq. at mgoellner@famm.org or (717) 945-9089.