

Testimony on HB 1382, "Lifers' parole," before the House Judiciary Committee  
for a hearing on August 5, 1992.

H. R. 1382  
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House of Reps  
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By Elizabeth Marsh.

**Introduction:** I (Elizabeth R. Marsh) live in Lewisburg, in Union County, Pennsylvania. Before I retired I was Professor and Chair of the Division of Science and Mathematics at Stockton State College, in New Jersey. For the past six years I have been a legal visitor for the Lewisburg Prison Project, assisting inmates at the high security U.S. Penitentiary at Lewisburg with problems arising within the prison. I also represent inmates at hearings before the U.S. Parole Board. In connection with our "Legal Bulletins" mailings I correspond with inmates all over the United States. With my religious group I visit with several "lifers" in the Pennsylvania system.

**Comment on purpose of HB 1382, "Lifers' Parole."** I strongly support the goal of HB 1382. In brief, the only purpose in locking up a person (other than the chronically dangerous) forever is vengeance. Vengeance will not bring back the murdered victim. Vengeance is a luxury we cannot afford and I don't want to pay for, either morally or in money.

**Comments on "Program" proposed in HR 1382.**

**Complexity of requirements:** The Program requires several review committees which monitor achievement hurdles which the "lifer" candidate for parole must pass. These prescriptions, if they go beyond what other long-term prisoners must satisfy, seem ponderous, expensive in staff time, and difficult to keep on schedule; crowding and staff cuts will make managing all this even worse so that some will be deprived.

In situations where there is a conflict, or factors such as racism, a complex system can be manipulated to the detriment of the "lifer" candidate. Such hidden manipulation happens too often in prisons and is impossible to detect or prevent.

**Provisions to be retained in the "Program."**

**Education/training programs** are obviously essential. I have been impressed by the educational and trades opportunities at the state prison where I visit. There should be a procedure for waiver of the G.E.D. for handicapped inmates.

**Written goals:** The development of periodic written goals plans is an excellent idea. One cause of crime is an uncontrolled and unexamined life. (One of the key transitions prisoners tell me about is like this: "I really hit bottom; I sat on my bunk and said 'where am I going?' Then I took hold of my life, started reading,... and so forth." That is the transition to encourage.)

**Management of aggression:** All of us, and certainly those who have committed a violent crime need to learn to control aggression. Prisoners give me good reports on the aggression control courses provided by Quakers in New York State. "The best thing I got in prison!"

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**Encounter with victims:** Some offenders do not identify with victims; others may need to face their victims, or their families, in order to come to terms with their crime. Most victim families will not want to meet the killer of a loved one, but there are some who will find peace in the encounter. Some victim-encounter programs use surrogate victims, who have experienced a murder, but not by the offender they are to meet. That makes sense.

**Sex offenders: a problem.** In Pennsylvania one must take responsibility for the sex crime before entering a therapy program. But what happens if a person maintains his innocence? A person who asserts his innocence must not be forced into a denial of Fifth Amendment rights and into a lie, in order to complete a requirement for release from a life sentence. In certain cases an alternate to the sex therapy courses might be provided.

### **Who shall decide?**

**Pre-screening:** The Act provides internal review committees to pre-screen inmates at each step, before they may go to the parole board. This seems complicated. Maybe there should be only one internal review committee which would do a paper review from the prisoner's file.

**The Parole Board:** In my experience with boards of the U.S. Parole Commission I have been impressed by the effectiveness of a parole system to instill self-control and future-oriented behavior. Both of those are essential if one is to stay out of trouble.

It may be that there should be a special parole board or panel drawn to review the lifer's petition for parole at set intervals, with members appointed by outside groups such as the Pennsylvania Bar Association, a psychiatric society, and so forth to remove the burden of politics from the choice.

**The 50 paroles per year rule:** The rule that there be a set limit to the number to be paroled in a year seems dangerous and procrustean. Will a worthy candidate be held back by the successes of others?

Thank you for the opportunity to present these comments in writing. I'm sorry that, because I will be flying to California on the day of the hearing, that I will not be able to speak to you in person.

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