



*A Division of the National Rifle Association*

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**STATEMENT OF SUSAN BALDYGA MISIORA  
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BEFORE THE HOUSE JUDICIARY COMMITTEE  
FRIDAY, JUNE 9, 1995**

I appreciate the opportunity to address the parole legislation under consideration today. This is a serious topic for legislators. Our NRA CrimeStrike files are full of newspaper reports of tragic miscalculations that have occurred in the parole process. Too many of these are from Pennsylvania and perhaps all too familiar to this committee.

But first I'd like to share an old, possibly apocryphal, story about a little boy taking the tour of FBI headquarters in Washington. Upon being shown a rack of posters for some of FBI's most wanted felons, the child looked up at his FBI host and said: "Mister, you had them to take their pictures. Why didn't you keep them?"

Well, unfortunately Pennsylvania can't keep all of the prisoners in its custody. But steps can be taken to reform the process by which the Board of Probation and Parole identifies those who can be released without endangering the public.

The bill before you today is a great first step; we at NRA CrimeStrike applaud your efforts. We especially appreciate the care taken to consider the impact of a potential parole on the victim or survivor of the victim of that crime. Often, the criminal justice system treats the victim of crime as little more than a piece of evidence. The oversight mechanisms in the draft bill guarantee that the victim will have the right to testify at a parole hearing or to have a statement submitted as part of the record. Listening to the victims of crime will go a long way toward protecting parole board members from the bitter recriminations they have endured here in Pennsylvania. This is a win, win proposal.

Providing victims of crime this opportunity benefits both the victim and the justice system. It is crucial that parole board members see the faces and hear the voices of crime victims. For the victims or survivors, it provides closure. For the system, it gives balance to the rights of the victims and the criminals. Considering the scope of the changes to the criminal justice system this body has passed or is contemplating, amending the administrative procedures of the Parole Board may seem to be insignificant. But it is steps like those outlined in this bill that will help to restore public confidence in the parole board -- and in the government's ability to protect the citizens from crime.

NRA CrimeStrike grew out of the realization of NRA members and NRA management that gunowners were often used as scapegoats for a criminal justice system that does not work. CrimeStrike was formed to advocate for meaningful criminal justice reform as the alternative to tired gun control schemes that don't work. But more importantly, CrimeStrike speaks with the voice of the 217,000 NRA members in Pennsylvania; 217,000 members of the community who are as equally impacted by the acts of violent criminals -- especially violent criminals who were released on parole.

Look at the local Harrisburg case from February. Mark Newton Spotz and his girlfriend were accused in a series of four killings that included Spotz's own brother. State police said Spotz was free on parole. As with Reginald McFadden and Mudman Simon, it is not just the victims that suffer, its the whole community. And the whole community should have the opportunity to comment when these individuals come up for parole.

NRA CrimeStrike is one of the strongest voices in the country for truth-in-sentencing/abolition of early parole legislation. We also advocate open and public parole hearings when inmates become eligible for parole -- hopefully after serving 85% of their sentences. This open parole concept compliments the bill before you.

With government making such strides with "sunshine" legislation in other areas, it only follows that Parole hearings be subject to similar provisions. We suggest that in the instant bill the Parole Board be directed to:

- Publish in a newspaper of general circulation in the community where both the victim and the potential parolee live a notification of parole eligibility at least 30 days prior to the scheduled hearing. The notice shall include the date, time and place of the hearing.
- Adopt rules for hearing oral statements or arguments not connected with the Department of Corrections, including, but not limited to law enforcement and family and friends of the victim. The rules would include the length of each statement; the number of statements taken; and rules of conduct for witnesses.

- Provide a mechanism for closing parole hearings, based on compelling reasons such as protection of on-going law enforcement investigations; to deliberate on oral or written arguments; to provide an opportunity for potential parolees to challenge confidential information or at the request of the victim or victim's family.
- Notify both the victim or victim's family of any parole decision within 10 days; and publish such decision in the newspaper where the notice of hearing was published.
- Provide the legislature with an Annual Report of each case heard and/or decided by the Board. Such a report would include the name of the potential parolee, the crime of which he was convicted, the date of conviction, the date of incarceration; list of speakers at the parole hearing and the disposition of the hearing. This report should be available to the public upon request.

If the above suggestions were incorporated into the bill before you, the cumulative effects of these changes would help to strengthen public confidence in the Parole system.

In addition to Pennsylvania, six states have introduced legislation to improve the procedures and/or composition of Parole Boards. In neighboring Delaware, a model open parole bill has been introduced and is pending.

In conclusion, Pennsylvania is not alone in dealing with the devastating results of unfortunate parole decisions. Right now in Nevada, the resignation of the entire state parole board has been demanded by the state's police chiefs and sheriffs. The governor and the Nevada District Attorney's Association is demanding parole board resignations, as well.

Why? Because the parole board freed convicted robber Donald Cameron from prison on April 15. On May 22, Cameron murdered a Sparks, Nevada, police officer during the commission of still another robbery. And in this case, Cameron was freed despite the pleas of Reno police and the Washoe County DA's office. They called Cameron "The worst of the worst."

Parole is a serious matter. Every day in America, 5 people will be murdered, 14 women raped, and 228 honest citizens robbed by criminals who have been caught, convicted, sentenced and then returned to our streets on parole. Every year, nearly 60,00 violent crimes are committed by criminals on parole. These aren't just numbers. These are real people, just like the victims of "Mudman" Simon and Mark Newton Spatz.