

# Inside The Box

## A Prisoner Tells His Tale

By Matthew Hattley

### Immoral Justice



Matthew Hattley

Now that I am finally in a medium security facility, I am able to see all the prisoners who are scheduled to see the Board of Parole each month. There are usually twenty to thirty of them. The results of the process are truly disturbing. In April thirty prisoners had hearings, but only four were granted parole — that's 13.5 percent. Why are so many eligible people being denied parole?

Most prisoners commit their crimes between the ages of 17 and 25. They may spend the next two to three decades incarcerated. At the end of their sentences just about every one of them is around forty to fifty years old. I refer here to the A1 violent felony offenders.

During those decades inside, prisoners usually pick up at least one misbehavior report (MR) written against them. Never forget that we live in an unnatural environment — the experts would term it a “controlled” one, some might even phrase it as a “modified state hospital.” It takes time to adjust to this; it's all very new to most of us at the beginning, and people make mistakes.

Unfortunately, another aspect of this is that a large percentage of MRs are fabricated. While the security staff is becoming more diverse with each passing year, you have a few in every facility who are actually more miserable than us and they go out of their way to create problems on a daily basis. I can only speculate that this brings some form of joy to their lives. However, what they do is held against us at parole hearings.

And, of course, there is a culture among security staff to see, speak and hear no evil. So, regardless of how obnoxious or racist a small percentage of the staff may be, they can do no wrong in their coworkers' eyes. In essence they are permitted to enter the facility and do and say whatever they please to us without any repercussions. My position is: if you choose not to speak out against wrong doing then you condone it.

Still, if a prisoner has completed all of his or her required programs, maintained a good disciplinary record, shown personal growth, maintained family and community

ties, and has a strong potential for acquiring employment upon release, they should be granted parole. Incarceration has done what it's supposed to, right?

The majority of A1-VFOs clearly show a pattern of growth over the duration of their incarceration. Because of our sentence length, of at least 15 years, and our age, at least 40, statistically we show the lowest recidivism rate and yet we are the least likely to be granted parole. All due to “the nature of our crime.”

Robert J. Dennison is a retired chairman of the New York State Board of Parole. At a public hearing regarding the Board of Parole held in December 2013 he said, “Most people serving life sentences have excellent institutional adjustments. So the bottom line is if the Parole Board doesn't like your crime, they're not going to let you out. It doesn't matter what else you've accomplished, to be quite frank about it.” He added, “There are some people who I think we all agree should never get out of a state prison. But probably that's a small percentage.”

At the same hearing, Assemblyman Luis Sepulveda added, “Murderers have the lowest rate of returning to committing new crimes.”

There's a disconnect between what people think the parole board does and what is actually going on. The fourteen commissioners on the board seem to honestly believe that it's their duty to be judge and jury at every A1VFO's hearing, even though Tina Stanford, chairwoman of the board, has said, “This does not mean the Board acts as legislator, prosecutor, or judge.”

Well, I'm sorry but the facts are otherwise. Offenders who have served their sentences, who have done what was asked of them while in prison, who have shown personal growth and who are ready to be released and to become productive members of society are re-sentenced, again and again, by a parole board that ignores everything except their original crime.

Thanks to the efforts of criminal justice reform advocates, these issues are finally being brought to the general public's attention. Social media has been helpful in this process. But there's still a ways to go. Our elected officials are not willing to even discuss this issue, let alone try to correct it, for fear of being viewed as “soft on crime.”

An independent agency is needed, to oversee parole proceedings and to intercede. This would provide political protection for the Parole Board members, and justice for prisoners who have truly served their time.

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