THE OHIO PAROLE BOARD'S INTENTIONAL ABUSE OF THE LAW

By: John E. Peters Jr.

It has been approximately 2 and one half years since Parole Board Chair Person Cynthia Mausser reported to the Mansfield News Journal:

> "...After 16 years, all the inmates likely to be paroled have been released already, leaving behind 3,200 of the state's worst offenders ***to cycle through the process again and again.***"

Ms. Mausser's statement has rendered meaningless any and all previous court rulings. Has anyone ever wondered what became of the Ohio Supreme Court Decision, *Layne versus OAPA?* This High Court decision involved "meaningful parole release consideration" and mandated the Ohio Parole Board to implement certain factors that must be considered during an offender's parole hearing.

MEANINGFUL PAROLE CONSIDERATION

Under the mandates of the Ohio Supreme Court in "*Layne versus OAPA, 97 Ohio St 3d 456, 2002 Ohio*; they specifically referred to ORC Section 2967.13(A) articulating "...Eligible for parole, ***ought to mean something.***" Inherent in this statutory language is the expectation that an offender will receive meaningful consideration for parole release. In the Ohio Supreme Court's view, meaningful consideration for parole consists of more than a parole hearing ... To the High Court, *meaningful* parole consideration consists of true eligibility, (rather than a mere paper eligibility), and a parole hearing that complies with the policies and practices by the Adult Parole Board after *Layne*. Apparently, Ms. Mausser meant every word of her announcement because the state's parole release dropped to nearly zero percent.

Worst of the worst. Exactly, what does this term/phrase really mean? In the context that the Ohio Parole Board uses it in, it simply means that this class of inmates has been deemed **unsuitable** for any meaningful release consideration. However, if one looks back to earlier times when these same particular prisoners were once trustees, they all worked outside within the communities; alongside our highways, driving state vehicles to and from the State Capital back to their assigned institution, all *unsupervised*. How did they suddenly become worst of the worst?

Are these *worst of the worst* offenders hiding in our Level One Reintegration Centers? I ask, how does one even become qualified to reside within one of these Centers? If we are all the *worst of the worst,* why are we being housed at these Minimum Security/Level One Centers? Personally speaking, am I one of these worst of the worst offenders? What makes us the worst of the worst? Is it because we committed our crime prior to 1996? As, there remain identical crimes being committed under the *new law* yet they're not classified as the worst of the worst.

As I think back to the days of the Norman Sirak Law Suit, this phrase actually originated from an Assistant Attorney General; Todd Marti, in efforts to persuade the Federal Court that the old law offenders were not worthy of release. This term has been applied ever since. What about all of those who were fortunate enough to get themselves released? Looking back, they too were in this classification of prisoners. Did Ms. Mausser suddenly deem them *suitable to be released* after removing them from her list? If so, how does one qualify to be worthy of such a list?

I have also noticed just how Ms. Mausser succeeds in her efforts to lump us all in this scandalous category. Ms. Mausser, being very cunning looks for that one case, that specific set of circumstances in which *one* offender has committed such a heinous, brutal crime; then acquaints all of us to it. Portraying, that each and every one of the old law offenders has committed a similar crime or one identical to it. In reality, she has demonized the old law, prejudicing us from receiving any meaningful parole release consideration. Her tactic works. She has dehumanized us in order to satisfy her goal in persuading the public that each and every old law offender left within her grasp does not warrant meaningful consideration.