

**REPORT TO THE LEGISLATURE**  
**Pursuant to P.A. 63 of 2011**  
**Section 615**  
**High Probability of Release – Not Paroled**

Sec. 615. After the parole board has reviewed the cases of all inmates sentenced to life with the possibility of parole who have good institutional records and pose low-risk to the community, the parole board shall provide the legislature with a detailed explanation of why an inmate who scores “high probability of release” is not being paroled. A report containing this explanation shall be submitted to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies and the state budget director by January 1.

MCLA 791.234 describes the process for which the Parole Board is to review inmates that are sentenced to life with the possibility of parole. At the conclusion of 10 calendar years of the prisoner’s sentence, one member of the Parole Board is required to interview the prisoner. At the conclusion of 15 years and every 5 years thereafter the Parole Board is required to review the prisoner’s file until the prisoner is paroled, discharged or deceased. A decision to grant or deny a parole cannot be made until after a public hearing is held in a manner prescribed for pardons and commutations. Notice of a public hearing must be given to the sentencing judge. A public hearing cannot be held and a parole cannot be granted if the sentencing judge, or their successor in office, files a written objection to the parole within 30 days of receipt of the notice of public hearing.

Administrative Rule 791.7715 lists the factors to be considered in granting or denying a parole. Institutional adjustment and “high probability of release” are two of the many factors that are to be considered. Additional considerations include, but are not limited to history of criminal behavior, the prisoner’s personal history and growth, family or community ties, physical or mental health, employment history and the nature and seriousness of the offense for which the prisoner is currently serving. The Parole Board must consider the totality of the circumstances when making a parole decision.

Although a prisoner may be found by an instrument such as the COMPAS to be among those statistically at low risk to reoffend or may score in the high probability of parole range of the parole guidelines, the Parole Board is mindful that low risk to reoffend does not mean that all risk to reoffend has been eliminated. A significant number of these offenders have a pattern of violence in their history and a previous prison commitment. The offenses for which many of these individuals were sentenced include murder, brutal sex crimes, kidnapping and violent armed robberies; crimes that in some cases shocked the public consciousness. There are often multiple victims and extreme acts of violence. The Parole Board is aware that reoffending in some of these cases could entail devastating consequences for more innocent victims and significant impact on the community, so it moves judiciously when considering these offenders for parole.

In summary, individuals sentenced to life in prison with the possibility of parole are reviewed on a regular basis by the Parole Board. Although institutional adjustment, statistical risk of reoffense and the parole guidelines score are considered, the Board takes interest in the case only when the totality of factors which must be taken into account provides reasonable assurance that the offender will not present a risk to public safety.