

CRITERIA FOR ELIGIBILITY. The Committee emphasizes that, in addition to requirements unique to temporary parole, certain requirements for eligibility for discretionary parole must be respected. The following are the minimum criteria for temporary parole eligibility.

Recommendation

48. The parole authority may grant temporary parole if:

- a) the inmate has served one-half of the time prior to the eligibility date for discretionary parole or, in the case of persons serving sentences of life imprisonment or preventive detention, five years;
- b) the release of the inmate does not constitute a serious danger or undue risk; and
- c) the reasons for temporary parole constitute an integral part of the inmate's correctional plan and thus is oriented toward his eventual reintegration into the community.

No hearing is necessary prior to the decision to grant or refuse to grant temporary parole. However, there may be cases when the parole authority will interview applicants to clarify areas of concern. As there is no requirement for a hearing, no provision for reviewing the Board's decision is provided.

Recommendation

49. A hearing should not be required in the case of an application for temporary parole.

TERMINATION OF TEMPORARY PAROLE. Temporary parole should not exceed the period required for completion of the task for which parole was granted. For example, temporary parole granted to an inmate so that he may attend classes at a university or community college will terminate when the academic year is completed. Should he want to continue his studies the following year, an application for a new temporary parole would be necessary. The inmate should not assume that his temporary release is renewable.

Recommendations

50. Temporary parole should automatically terminate when the purpose for which the inmate was released is completed.

51. A parole authority may terminate a temporary parole at any time if the inmate is not fulfilling the conditions of the parole agreement.

The Committee does not feel there is need to establish a new eligibility date for another temporary parole for an inmate whose temporary parole has been cancelled. If he reapplies, the same criteria must be met. However, more serious consideration should be given to the case by the parole authorities.