

Old-Law Prisoners and Continued Denial of Parole

An old-law prisoner is a prisoner sentenced in Ohio before 1996. In 1996 a truth-in-sentencing law was passed in Ohio, but was not made retroactive -- probably for political reasons. Only the old-law prisoners are subject to the Parole Board.

You could make one or more of the following points:

- **16 years and counting.** There are **3,200** old-law inmates eligible for parole who have been in at least 16 years and some for decades
 - That's too long
 - Many have worked hard to rehabilitate themselves, but Parole Board routinely does not look at their record inside or accomplishments
- **Unfairness**
 - Old-law prisoners are serving longer time than judges expected when they were sentenced -- because of changes in Parole Board practice.
 - All old-law prisoners were given indeterminate sentences – that is, a minimum and maximum number of years. The reason for the maximum was to discourage bad behavior in prison, with the expectation that prisoners with good behavior would be given parole at the minimum (at first parole hearing) or shortly thereafter (at second hearing).
 - Until the mid-80's five years was the maximum continuance given to any prisoner at his or her initial parole hearing, and one or two-year continuances were far more common.
 - Now the Parole Board refuses parole repeatedly, routinely handing out five-year continuances over and over again and sometimes even longer continuances – 10 and 20 years.
 - Until 1999 all prisoners refused parole were given a projected release date. In 1999, the Board stopped doing so. Prisoners are now simply refused parole with no explanation or promise of ever getting out.
 - Prisoners need a guarantee that if they meet the conditions set by the Parole Board then they will be released at the next hearing.
- **Cost, overcrowding of prisons**
 - Substantial contribution to the overcrowding of Ohio prisons
 - If the 3,200 old-law prisoners were granted parole, as is just, the **dangerous overcrowding** of Ohio's prisons would be **reduced by a quarter**, and in addition, the state would save over **\$12 million** annually.
 - Alternatively, if the old-law prisoners were released and prisons were closed whose capacity is 3,200, then the state would save **\$83 million annually**.
- **Tapes** (audiotape or videotape) **of Parole Board hearings are needed** so that inmates' counsel can tell if hearing was meaningful, as required.