

U.S. Department of Justice
United States Parole Commission

HISTORY OF THE FEDERAL PAROLE SYSTEM



Edward F. Reilly, Jr., Chairman

May 2003

UNITED STATES PAROLE COMMISSION

Commissioners

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This report was prepared by Peter B. Hoffman, Ph.D., a consultant to the Parole Commission. It updates an earlier history of the Parole Commission prepared by Dr. Hoffman in 1997 when he was Staff Director of the Parole Commission.

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INTRODUCTION

Parole of federal prisoners began after enactment of legislation on June 25, 1910. There were three federal penitentiaries and parole was granted by a parole board at each institution. The membership of each parole board consisted of the warden of the institution, the physician of the institution, and the Superintendent of Prisons of the Department of Justice in Washington, D.C.

By legislation of May 13, 1930, a single Board of Parole in Washington, D.C. was established. This Board consisted of three members, serving full time, appointed by the Attorney General. The Bureau of Prisons performed the administrative functions of the Board. In August 1945, the Attorney General ordered that the Board report directly to him for administrative purposes. In August 1948, due to a postwar increase in prison population, the Attorney General appointed two additional members, increasing the Board of Parole to five members.

By legislation of September 30, 1950, the Board was increased to eight members appointed by the President, with the advice and consent of the Senate, for six-year, staggered terms. The Board was placed in the Department of Justice for administrative purposes. Three of the eight members were designated by the Attorney General to serve as a Youth Corrections Division pursuant to the *Youth Corrections Act*.

In October 1972, the Board of Parole began a pilot reorganization project that eventually included the establishment of five regions, creation of explicit guidelines for parole release decision-making, provision of written reasons for parole decisions, and an administrative appeal process. By October 1974, five regions were operational with one member and five hearing examiners assigned to each region. The chairman and two members remained in Washington, D.C., at the headquarters office.

In May 1976, the *Parole Commission and Reorganization Act* took effect. This Act re-titled the Board of Parole as the United States Parole Commission and established it as an independent agency within the Department of Justice. The Act provided for nine commissioners appointed by the President, with the advice and consent of the Senate, for six year terms. These included a chairman, five regional commissioners, and a three-member National Appeals Board. In addition, the Act incorporated the major features of the Board of Parole's pilot reorganization project: a requirement for explicit guidelines for parole decision-making and written reasons for parole denial; a regional structure; and an administrative appeal process. The Youth Corrections Division of the Board of Parole was eliminated and its duties absorbed by the Commission.

Eight years later, the *Comprehensive Crime Control Act of 1984* created a United States Sentencing Commission to establish sentencing guidelines for the federal courts and established a regime of determinate sentences. The Chairman of the Parole Commission is an ex-officio, non-voting, member of the Sentencing Commission. The decision to establish sentencing guidelines was based in substantial part on the success of the U.S. Parole Commission in developing and implementing its parole guidelines. On April 13, 1987, the U.S. Sentencing Commission submitted

