

# Inside The Box

## *A Prisoner Tells His Tale*

By Matthew Hattley

### *Reasonable Doubt*

#### *Part 1*



Matthew Hattley

In the past I've attempted to explain the parole hearing process for readers, but it's a complex concept, so I'm going to try a totally different approach.

To put things into perspective, I need you to visualize the following synopsis: A 25 year old, who's greatly intoxicated with alcohol, gets into an altercation with another young man — a total stranger. The situation escalates rapidly, a weapon appears, and a struggle ensues. The weapon fires accidentally and kills one of the young men, unbeknown to the other.

The drunk man leaves the scene and is arrested a short time later — eventually being sent to Rikers Island where he spends the next 16 months vigorously fighting his case, unable to obtain the \$250,000 cash bail. After two separate trials, the first of which ended in a mistrial, the jury finds him guilty of 2 counts of second degree murder and he's sentenced to 25 years to life for each, both counts running concurrently.

Once he's sent to a state prison reception center, he is informed by a corrections counselor that he must participate in several mandatory programs based on his crime: Aggression Replacement Training, Substance Abuse and Vocational.

During the first six years of his sentence, he satisfied the majority of said required programs, and became a facilitator for a couple of them. He also received several misbehavior reports; it's difficult to adjust to his new environment — he releases his pain and frustration physically and verbally on those around him. At least until he learns to control and suppress such rage.

After seven years of incarceration, he finally decides it's time to turn his life around — for the better; he starts

leaving the negative aspects/behavior behind. It's time to focus on what's right for a change — regardless of how the other prisoners perceived him; he realizes it's no longer about "HIM." A dramatic change is finally in progress; he emerges from merely existing to living again. The passion to succeed can be seen in his eyes.

His family begins to see the changes via visits, phone calls and correspondence and start to embrace him again; it was difficult for them to watch him self-destruct within the first 6 years and they had all slowly pulled away from him. Being alone was extremely difficult to endure, especially since he was over 100 miles away from his home neighborhood. Yet the isolation made him a stronger man; introspection enters the equation.

Within 20 years he acquired several significant trades — drafting, general mechanic, HVAC, etc. — which would assist him in finding employment once he returned to society. His disciplinary record goes unblemished for 8 years. He now concentrates on making the best of a bad situation, no longer allowing the crime to define him. But then he never glorified his crime, or the prison system. He displays genuine remorse for his actions, which he takes full responsibility for.

He's also interacting with several community organizations in hopes of one day being given the opportunity of working directly with youth. Through his vast experience of life in prison, he intends to help others to NOT make the same mistakes he did in the past. The youth must see that there's a more productive way to navigate the streets of New York — their futures depend on it.

For the last few years his primary concern is reestablishing family and community ties. Their love and support gave him the strength to continue following his current path. Plus their connection gave him something to really look forward to upon his release. As he had done everything expected of him within the corrections system, and then some, he was more than eligible to receive parole. His future was beginning to brighten for a change. His family began to prepare for his return after a quarter century of incarceration.

*To be continued in Part 2...*

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## Opinion: Views & commentary from around the community

# Reasonable Doubt: Part 2 Of A Series

By Matthew Hattley



Matthew Hattley

When a person receives a specific amount of time (25 years to life) from a judge for their crime, they are left with the impression that as long as they complete all required programs, stay out of trouble, maintain strong family and community ties, have a pre-approved residence and acquire the necessary skills to become employable, they will be released once they complete their minimum sentence, that being 25 years in this case.

This is actually an unwritten procedure, or protocol, conveyed to all prisoners via their Offender Rehabilitation Coordinator throughout their incarceration. An ORC is the new acronym for our counsellors, whom we meet with regularly. With their advice and guidance we are supposed to be able to navigate the prison system — while preparing ourselves to reintegrate back into society. In the process they encourage us to maintain an exemplary prison record.

So, our individual with a sentence of 25 years to serve followed all the rules and regulations. He did everything expected of him. Even the staff officers at both his previous and his current correctional facility believe he deserves a second chance. They saw him as the perfect candidate to be released. Achieving freedom seemed plausible.

However, he was disappointed to find that his first parole hearing was to be conducted not in person, but via video conference. It seemed very impersonal. He had expected to speak to a live panel of three Parole Commissioners. Even more disturbing to him was that the hearing lasted a mere ten minutes. He was not given the opportunity to express himself or discuss the wonderful personal transformation which had taken place over the past 25 years.

Indeed, the commissioners never mentioned that his chances of committing a new crime were less than 8 percent, compared to the average of 40 percent. Their primary focus was the crime itself, they barely glanced at the content of his extensive parole packet, which held a history of his accomplishments, goals and future plans.

When he received the decision three days later, it really didn't surprise him that they denied his release. He had only been praying that what he'd been expecting was wrong. Reading the actual words brought tears to his eyes.

This was what they said: "Discretionary release shall not be granted merely because of good conduct and program completion while confined, but after consideration of the specific factors; discretionary release is not presently warranted as there is a reasonable possibility you would not live at liberty without again violating the law and furthermore; your release would be incompatible with the welfare of society and would so deprecate the serious nature of the crime as to undermine respect for the law."

After regaining his composure, he called his family to report the terrible news. No one could understand why he was not released. At 50 years of age he was no longer a threat to society. Why is it so hard for the commissioners to accept that he's no longer the person he was at 25? His family was at a loss for words, and they also lost their respect for the parole process. The commissioners had judged him without getting to know him, without bothering to really examine his case.

His family now has to carry the burden of knowing that he has to do an additional two years, before his next scheduled hearing. And even then, there is no guarantee that he will be released. They have the power to hold him indefinitely, even though he was not sentenced to "Natural Life" — the term for a lifelong sentence of imprisonment.

According to Judge Richard Bartlett, "It is not the function of the Board to review the appropriateness of the sentence. This is for the court to decide. Their role is to determine the suitability of release based on the inmate's behavior while imprisoned and the likelihood of their reoffending."

Unfortunately, this is how the parole board currently operates, with absolutely no accountability for their actions. So, regardless of how we grow and change in prison, they seem to believe that we can never repay our debt to society. There's nothing to base that belief on, except bias, perhaps malice, perhaps even hatred. Should that be the basis for judgments in parole hearings?

So, dear reader, do you believe people should be punished indefinitely for a mistake they made 25 years ago? Or do you believe people can change for the better over an extended period of time in prison? If the latter, then please support the SAFE Parole Act (S.1128/A.4108). To find out more visit [action@millknotjails.org](mailto:action@millknotjails.org) or call (917) 719-6455.

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