

Richard Robles #66-A-0003
Otisville Correctional Facility
P.O. Box 8
Otisville, NY 10963-0008

Kathleen M. Kiley
Counsel to the Board of Parole
Department of Corrections and Community Supervision
1220 Washington Avenue, Bldg. 2
Albany, NY 12226-2050
November 1, 2016

Re: I.D. No. CCS-39-16-00004-P

Dear Ms. Kiley and Chairwoman Stanford,

Please accept this as a public comment pursuant to the State Administrative Procedure Act, in response to the Notice of Proposed Rule Making as published in the New York State Register on September 28, 2016.

I have been parole eligible since November 1984. Despite 17 parole hearings, I have been denied parole solely for the nature of the crime, prior criminal history, and most recently because of "continuing community and official opposition" to my release.

In 2011, the New York State Legislature amended Executive Law sec. 259-c (4) to require the Parole Board to "establish written procedures for its use in making parole release decisions... incorporating risk and needs principles to measure the rehabilitation of inmates, their likelihood of success if released, and assist the board in making its release decisions." In response to this mandate, since 2012 the board merely read the results of the evidence-based methodology of the COMPAS Risk Assessment instrument into the record at my parole hearings. I had perfect scores in every category except family support because, due to deaths, I am unable to get support from immediate family. However, as I advised the panels, responsible friends have offered support in every way a family could. In addition, each board indicated that they were favorably impressed by the fact that, despite my lengthy imprisonment (at present over 51 years), I did not have a single prison infraction.

Over the years, at each board hearing, because the board failed to mention them, I had to make reference to the numerous certificates relative to my program goals and accomplishments, academic achievements, vocational education, work assignments, therapy, and interactions with staff and inmates that are in my life, and I had to request that the board read the many letters written by prison employees who supervised and observed me between 1972 to the present that describe the transformation I have undergone during my incarceration.

The proposed rules do not go far enough to guarantee Parole Boards will hold hearings that fully consider all the factors they are supposed to, nor do the proposed rules guarantee proper weight will be assigned to each factor. The rules leave openings to bias, political, and other forms of influence that have nothing to do with evidence of rehabilitation, but does militate against release of rehabilitated prisoners.

Respectfully submitted,

A handwritten signature in blue ink that reads "Richard Robles". The signature is written in a cursive style and is positioned above a horizontal line.

Richard Robles
Richard Robles

CC: Mr. John Koury, Director AARC

Mr. Mujahid Farid, Correctional Association of New York