

## PENNSYLVANIA PIPE DREAMS

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*In this essay, Shawn Younker describes the false promise of sentence reductions and parole in Pennsylvania. He characterizes the state's parole system as little more than a "lottery," and urges the state to cease the building of prisons and jails.*

In recent years, those of us languishing under the sadistic thumb of Pennsylvania Justice have noticed a shocking decrease in the push for rehabilitation. There was a time, not too long ago, when treatment and addiction therapy were the gold standards. But not today. Not anymore. And certainly not in Pennsylvania.

An inmate can do virtually every program available on the inside, display exemplary conduct, have a nonviolent offense, and even complete voluntary classes—and still be denied by parole. It is inexplicable—sickening even.

Let me give you an example. In the courts, a defendant is offered a plea which includes a Recidivism Risk Reduction Incentive ("RRRI").<sup>1</sup> Basically, this incentive is an equivalent of the "good-time" credits earned in other states. Here, it takes about three months off of an individual's minimum sentence for every year an individual serves.<sup>2</sup> Do a program, stay out of trouble, and work. If followed correctly, the offender can be released before his minimum release date! Sounds like a real appealing gesture, does it not?

If only it were true.

It's all window-dressing, to be sure. Sadly, very few of the people who receive RRRI actually get released on that elusive minimum.<sup>3</sup> Through no fault of their own, no less!

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<sup>∞</sup> *My name is Shawn Younker. I am incarcerated at SCI-Green in Pennsylvania. I have just finished serving a three-year parole violation for the crime of petty theft/retail. I am a nonviolent offender, advocating for prisoner rights, parole reform, and diversionary programs. I spend a lot of time writing essays, short stories, and assorted articles. I am thirty-nine years old. I have been in prison for three years, and the only program remotely close to drug treatment I've received is a homework packet. I still do not know when I'll be released, due to the indifference of a malicious parole board. I am from the small town of Mercersburg, Pennsylvania . . . regrettably. I enjoy reading, writing, and dreaming of freedom.*

<sup>1</sup> 61 PA. CONS. STAT. §§ 4504, 4506 (providing statutory authorization for RRRI programs); 204 PA. CODE § 303.12(d) (detailing RRRI program guidelines).

<sup>2</sup> 204 PA. CODE § 303.12(d)(2) ("The RRRI minimum sentence is three-fourths of the minimum sentence when the minimum sentence is three years or less. The RRRI minimum sentence . . . is five-sixths of the minimum sentence when the minimum sentence is greater than three years.").

<sup>3</sup> See, Riley Yates, *Most Inmates Miss Out on Shorter Sentencing Potential*, MORNING CALL (Sept. 18, 2010), <https://www.mcall.com/news/local/mc-xpm-2010-09-18-mc-northampton-rrri-20100911-story.html> [<https://perma.cc/6WH8-BLT4>] (reporting that, of the 954 people who received RRRI sentences and were released, just thirty-five "reaped the entire benefit"); see also PA. DEP'T OF CORR., RECIDIVISM RISK REDUCTION INCENTIVE 2016 REPORT 1 (2016), <https://www.cor.pa.gov/About%20Us/Initiatives/Documents/RRRI/2016%20RRRI%20Annual%20R>

The tyrants pulling those proverbial strings attest to any number of reasons for this. Clerical errors, paperwork delays, administration confirmations, whatever.

Oh, yeah. Maybe the dog ate their homework.

Parole in Pennsylvania is more lottery than realistic logic. No rhyme or reason. The people in dire need of rehabilitation are punished, and the ones unconcerned about sobriety are granted program after program.

So, what do we suggest? Well, for starters—stop erecting concentration camps and pour some government funding into diversionary programs, treatment centers, and restorative sanctions. Lord knows, some of these draconian counties need the update. Who knows what brand of freak power is fueling that rotten machine! The statistics are openly available to any brave soul daring a peek. The results continue to appall.<sup>4</sup>

In closing, remember this: my own sense of reality has now been permanently warped by the knowledge that a nation could hatch and be proud of a malignant monster like State Parole.

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eport.pdf [<https://perma.cc/U85T-FSL2>] (reporting that the median sentence served by RRRRI-eligible individuals is 118% of the RRRRI minimum sentence).

<sup>4</sup> See, e.g., Tiana Herring, *Parole Boards Approved Fewer Releases in 2020 than in 2019, Despite the Raging Pandemic*, Prison Pol’y Initiative (Feb. 3, 2021), <https://www.prisonpolicy.org/blog/2021/02/03/parolegrants/> [<https://perma.cc/6WTX-Y4RP>] (finding that the parole grant rate in Pennsylvania decreased from 2019 to 2020).