
Committee Meeting

of

SENATE JUDICIARY COMMITTEE

*“Testimony on the nomination of Dr. Mario A. Paparozzi
to be Chair of the State Parole Board”*

LOCATION: Committee Room 4
State House Annex
Trenton, New Jersey

DATE: November 13, 2000
1:00 p.m.

MEMBERS OF COMMITTEE PRESENT:

Senator William L. Gormley, Chairman
Senator James S. Cafiero, Vice-Chairman
Senator John O. Bennett
Senator Robert J. Martin
Senator John J. Matheussen
Senator Norman M. Robertson
Senator Raymond J. Zane



ALSO PRESENT:

John J. Tumulty
*Office of Legislative Services
Committee Aide*

Todd Dinsmore
*Senate Democratic
Committee Aide*

Meeting Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

TABLE OF CONTENTS

	<u>Page</u>
Mario A. Paparozzi, Ph.D. Professor Law and Justice The College of New Jersey, and Nominee Chair New Jersey State Parole Board	1
Assemblywoman Mary T. Previte District 6	1
Assemblyman Tom Smith District 11	4
Assemblyman Alan M. Augustine District 22	4
Raul Russi Commissioner of Probation New York City, New York	7
Ray Wahl Utah Juvenile Court Administrator, and President American Probation and Parole Association	10
Deborah A. Hansen Former Deputy Compact Administrator New Jersey Department of Corrections	13
Michael Volk Former Employee New Jersey Department of Corrections	19
Richard D. Pompelio, Esq. Director New Jersey Crime Victims' Law Center	25
Richard C. Kramer President Voices for Victims, Inc.	26

TABLE OF CONTENTS (continued)

	<u>Page</u>
James K. O'Brien Chairman Victims of Crime Compensation Board New Jersey Department of Law and Public Safety	27
Carlos Alves, Ph.D. Associate Dean, and Chair Council of Associate Deans School of Arts and Sciences The College of New Jersey	28
APPENDIX:	
Letter addressed to John J. Tumulty III from Raul Russi	1x
Testimony plus attachments submitted by Deborah A. Hansen	2x
Statement plus attachments submitted by Michael Volk	16x
Letter addressed to Senator William L. Gormley from Richard D. Pompelio, Esq.	47x
Letter addressed to Mr. John Tumulty III from Richard C. Kramer	48x
Letter addressed to Mr. John Tumulty III from Carlos Alves, Ph.D.	49x

TABLE OF CONTENTS (Continued)

APPENDIX (Continued):

	<u>Page</u>
Letter addressed to Mr. John Tumulty III from Daniel L. Lombardo President/CEO Volunteers of America Delaware Valley	50x
Letter addressed to Mr. John J. Tumulty III from Sean R. Ryan Board Member Board of Probation and Parole Harrisburg, Pennsylvania	51x
Letter addressed to Mr. John J. Tumulty III from Robert J. Malvestuto Co-Chief Probation Officer Adult Probation and Parole Department First Judicial District of Pennsylvania Philadelphia County, Pennsylvania	53x
Letter addressed to Mr. John J. Tumulty III from Wyetta Fredericks Deputy Commissioner Division of Corrections Department of Military Affairs and Public Safety State of West Virginia	54x
Letter addressed to Mr. John J. Tumulty III from Terrence Borjeson Executive Director New England Council on Crime and Delinquency Boston, Massachusetts	55x

TABLE OF CONTENTS (Continued)

APPENDIX (Continued):

	<u>Page</u>
Testimony submitted by Michael L. Mullen Chairman Board of Parole State of Connecticut	56x
Letter addressed to Mr. John J. Tumulty III from John J. DiIulio Jr. Director Robert A. Fox Leadership Program University of Pennsylvania Philadelphia, Pennsylvania	58x
Letter addressed to Senator William L. Gormley from Napoleon Johnson President The Coalition of Community Corrections Providers of New Jersey, Inc.	61x
Letter addressed to Mr. John J. Tumulty III from Charles W. Larson Chairman Iowa Board of Parole Des Moines, Iowa	62x
lmb: 1-42	

(The Senate Judiciary Committee held a meeting on November 13, 2000 at 1:00 p.m. in Committee Room 4 of the State House Annex. The recorded portion of that meeting follows.)

SENATOR WILLIAM L. GORMLEY (Chairman): The next nominee is Mario A. Paparozzi, of Sergeantsville, to be the Chair of the State Parole Board.

What we're going to do is, we have three Assembly representatives that would like to speak in your behalf. So I'd like to call them up, which also could serve as somewhat of an introduction: Mary Previte, Tom Smith, and Alan Augustine.

MARIO A. PAPAROZZI, Ph.D.: Senator, shall I remain?

SENATOR GORMLEY: No. You stay right there. We can move up an extra seat. We can get another--

Staff person-- We're going to move the chair over. Thank you. There he goes.

We'll hear the comments, first, from the Assembly representatives, and then a statement from the nominee, and then we'll open with questions and the balance of the witnesses.

The first person we would like to have speak is Assemblywoman Mary Previte.

ASSEMBLYWOMAN MARY T. PREVITE: Thank you, Senator. I am Assemblywoman Mary Previte of the 6th Legislative District. I believe I'm the only corrections professional in the New Jersey Legislature. I've helped shape the State's juvenile justice system, as a member of Governor

Whitman's Juvenile Justice Advisory Commission and of the New Jersey Juvenile Justice and Delinquency Prevention Commission. I'm the President of the New Jersey Juvenile Detention Association and Administrator of the Camden County Youth Center, where I have directed the program for more than 26 years. I'm a director and founding member of the New Jersey Chapter of the American Correctional Association, the largest corrections organization in the state. I have served as editor of the *New Jersey Corrections Quarterly*.

Dr. Mario Paparozzi ranks among the most respected corrections professionals in New Jersey and in the nation. I have known him for 20 years. Dr. Paparozzi started his career in corrections as a parole officer trainee in the projects of downtown Newark in 1972, working down and dirty and dangerous in urban streets. From that humble start 28 years ago, he has been promoted up the New Jersey Department of Corrections to become Assistant Commissioner, second in command, directing parole operations in all 21 counties.

While Mario Paparozzi was moving up the professional ladder in Corrections, he also earned his Ph.D. in criminology at Rutgers, served as a freeholder, and took leadership positions in State and national corrections organizations. He has earned an international reputation for his scholarly writing and lectures about criminal justice, parole, and aftercare. He has coauthored articles with some of the most highly respected corrections scholars in the world. At present, he teaches law and justice at the College of New Jersey.

In the last five years, he has been sought after as a speaker, consultant, trainer, and advisor to governors, the United States Justice

Department, public officials in 47 states, Canada, and the United Kingdom. He preaches effective public administration, sentencing, and correctional practice. Two months ago, I personally took part in one of his seminars for New Jersey's juvenile justice professionals. His message is one we need to listen to in this state: Set clear goals for what you want to accomplish in criminal justice, and measure to see if you're getting the results you set out to achieve. It's time to know what works.

Here is further eloquent testimony of his national stature and ability to lead. Dr. Paparozzi recently completed a term as national president of the prestigious American Probation and Parole Association. He has been a director and vice president of the New Jersey Chapter of the American Correctional Association, this state's largest correctional organization. He is active in the Coalition for Crime Victims' Rights.

What are you looking for to lead New Jersey's system of parole? A professional who has proved he can lead? A professional who has earned the respect of this nation's and this State's corrections practitioners? A leader with integrity? A leader who knows and collaborates with the top of the top in America's corrections scene connected to the network? A leader who knows the scholarly research in the field? A skilled communicator? If you can find all of that in a New Jersey resident, you are doubly blessed, because New Jersey likes homegrown talent. If you have all of this -- you do have all of this in Dr. Mario Paparozzi.

I give my enthusiastic and unqualified endorsement for this professional. He presents a brilliant record, leading, researching, writing, communicating. You are blessed indeed to have a chance to appoint a New

Jersey professional, one who is nationally, indeed internationally, respected in our field.

SENATOR GORMLEY: Thank you.

Assemblyman Smith.

ASSEMBLYMAN TOM SMITH: Thank you, Mr. Chairman.

I'm here to support this candidate because of the fact that I've worked with him when he was in corrections, and in my view that he brings to this post a great deal of experience in corrections.

I have to tell you about a situation I had where I had a recently released person from State Prison who wanted to go into business. He didn't have any money. We contacted Mario, Dr. Paparozzi, and as a result he got some seed money to start his business. That person is still in business. And that was over four or five years ago. So you can see that his interest of the parolees are also his foremost thought. And so, therefore, he would be an asset as Chair of the Parole Board, because he brings to it so much experience and so many things that he's done because of his work in corrections.

SENATOR GORMLEY: Assemblyman Augustine.

ASSEMBLYMAN ALAN M. AUGUSTINE: Thank you, Mr. Chairman and members of the Committee. Much of my testimony has already been very eloquently stated. I would just like to say that I represent the 22nd Legislative District in the State Assembly. It's a great pleasure for me to testify today on behalf of Mario Paparozzi.

In my opinion, he's qualified to head the State Parole Board. And based on his experience, he should be an outstanding appointment. In 1997, Dr. Paparozzi was one of the top five candidates considered for correctional

commissioner. At the time, I supported his candidacy, and I believe he would have been an effective and innovative reformer of our prisons. Although qualified for the position, he was not selected.

Now, Dr. Paparozzi has been nominated by the Governor to head the State Parole Board, and I hope that this time he will be given the opportunity to serve our State. From the credentials I have seen, Dr. Paparozzi has had a long and distinguished career in the criminal justice system. And as the Governor has said, and I quote, Dr. Paparozzi “offers a remarkable and rare blend of academic study in real-life experiences.” I, too, believe he will make an excellent chairman of the Parole Board.

I first met Dr. Paparozzi when we served together on the Union County Board of Chosen Freeholders in 1992. So much of what I’m going to say today took place a long time ago, but I will do my best to tell you what I recall. As I remember him, he was a diligent and a conscientious freeholder. He was a prolific writer, had an extensive knowledge of the parole system, the correctional system, and some of the accompanying union problems. When it came to matters of the criminal justice system, Mario was the freeholder who had the expertise in those matters.

Overall, Dr. Paparozzi showed he was always ready to meet challenges head-on, to resolve problems, and to provide leadership. I also remember that when we were freeholders I would often find Mario pouring over paperwork. He was always involved in trying to do his responsibilities.

In December of 1992, I ended my tenure on the Freeholder Board in order to fill an unexpired term here in the State Assembly. The next year, Dr. Paparozzi was promoted to Assistant Chief and Deputy Interstate

Compact Administrator in the Department of Corrections. In his new position, he was responsible for parole operations throughout the State. Four years later, he became an assistant commissioner in the Department of Corrections. During his tenure with the Corrections Department, Dr. Paparozzi was instrumental in a number of significant programs, in making New Jersey a pioneer in home confinement for nonviolent offenders to lowering staff overtime from a three-year high without jeopardizing staffing.

Knowing all that Mario has accomplished in the area of parole and his dedication to his profession and his fine reputation, it would only seem logical to me that the State is fortunate to have someone of his high caliber and extensive experience to chair New Jersey's Parole Board.

I thank you.

SENATOR GORMLEY: Thank you.

I'd like to thank the Assembly persons for coming and testifying today. Thank you for your testimony.

ASSEMBLYWOMAN PREVITE: Thank you.

ASSEMBLYMAN SMITH: Thank you.

ASSEMBLYMAN AUGUSTINE: Thank you.

SENATOR GORMLEY: We now appreciate any initial comments from the nominee.

DR. PAPAROZZI: Thank you, Mr. Chairman and members of the Committee, for having me here today, and I want to thank Governor Whitman for nominating me for this position. I don't know what to say after that. You kind of have my resume and synopsis there. I've been on the job 26 years up

until 2 years ago, when I retired. I've been at the College of New Jersey. I've gained a reputation as a hands-on administrator. I've held the line staff titles up through the top supervisory titles in the Department of Corrections, all related to parole. Parole is my forte. It's something I care about very much, and it's something that I care about so much that I made a decision recently to change my career path and try to explore this possibility of being the Chair of the Parole Board of New Jersey to try to improve parole, not just here in New Jersey, but nationally, as a concept.

I know that parole very often is not well thought of. And I don't want it to be a system that's just tolerated. I want it to be a system that's viewed as valuable, and I will do my best to bring to bear justice for victims and short- and long-term safety as my two major goals. If I can do that, then I will have considered myself to have done a lot.

SENATOR GORMLEY: Thank you.

What we're going to do now-- If you'd sit back, we're going to call some witnesses first.

DR. PAPAROZZI: Sure.

SENATOR GORMLEY: And the first two witnesses are Paul Russi -- Raul Russi, I apologize -- and Ray Wahl.

RAUL RUSSI: Thank you. Good morning. Good afternoon. It was good morning when I headed out here. I'm honored to be here today and offer a few words of support of Mario Paparozzi, who I am proud to call a friend, as well as a colleague. Before I tell you why I believe Mario Paparozzi will do an excellent job as Chairman of the New Jersey Parole Board, I would like to take a moment to briefly outline my 30 years in the criminal justice system. I think

that's important, that someone who comes to speak before an honorable body as this, on behalf of someone, that you know their backgrounds and what they've done and what right they have to come and speak before such an honorable body.

Presently, I am the Commissioner of Probation for the city of New York, under the honorable Mayor Rudolph W. Giuliani. I was named commissioner in 1996. We supervise approximately 90,000 adult probationers and 6000 juvenile probationers for the city of New York. Prior to that, I was Chairman of the New York State Parole Board, the similar position that Mario was being considered for, for New York state under former Governor Mario Cuomo, with approximately 60,000 parolees for the state of New York. I was also a member of the Parole Board, previous to being chair, and you should know that I began my law enforcement career as a police officer in Buffalo, New York. In 1980, I was shot doing my job in the line of duty by a parolee who was out approximately two weeks. Previous to that, I worked in a machine shop. And I'm proud to say that I was born in Puerto Rico, and I came to the United States when I was 11 years old.

I first met Mario in my visit to the APPA Conference in Philadelphia. And from the very beginning, I found Mario to be an exciting, outstanding individual whose interests in the parole-probation system was second to none. During the ten years as president of the APPA, he won the respect of probation and parole officials across the country. We respect him because he knows the business inside and out. And more importantly, we respect him because he cares. Mario possesses the rare ability to combine

compassion for the victims of crime with the sincere desire to help the offender.

Most recently, I have had the pleasure of working with Mario as an advisor to our Operation Neighborhood Shield, a new initiative recently launched in New York City by the Department of Probation. The goal of this initiative is to get probation officers out of the centralized office into the communities where a large number of high-risk probationers live. The men and women working on this initiative have come to value Mario's guidance. As a matter of fact, most recently, at our awards program, Mario was our keynote speaker, and he had a standing ovation, because the men and the women of the Department of Probation in New York City finally heard somebody who understood exactly what their job was all about.

Mario came to us in his capacity as a member of the Manhattan Institute reinventing probation council. As part of this council, Mario helped to author a groundbreaking study of the state of probation in America entitled "Broken Windows Probation." And we heard a lot about broken window theories. I don't think anybody really thought that it could be applied to probation. But the reality is that if every act and every event of a probationer's or parolee's life is acted upon, we can have a tremendous impact on crime in America, even more so than we have to date.

The next step of fighting crime is this route. Operation Neighborhood Shield, which we started in New York, is an attempt to put the practices recommended by Dr. Papanozzi into action. As a scholar and as an academic, Professor Papanozzi knows in depth all the latest theories and strategies regarding probation and parole. He can easily speak for ours, and

I know that he can and he has. And if you're not careful, he may do that here. And I was glad to hear that he kept his comments short. He says, "I have to get back to the city before the evening." And about this emerging concept in the field of community corrections, such as restorative justice, there is probably not an expert or a scholar in this field that Mario does not know on a first-name basis.

But that is only one side of Mario. As President of the APPA, he traveled this country speaking on probation and parole. I will skip on that, because the person who can talk about it is right to my right, the present president of the APPA. Mario is deeply committed to improving the ability to reintegrate offenders into society. Since most of our people in our prisons today will someday be back in the street, it is critical that we become more successful in helping these offenders become productive, law-abiding citizens, or more victims will be brought-- And I understand that perfectly, since I was a victim of a parolee who should not have been released.

In closing, I do not believe that you can find a person who is better prepared to serve as the next Chairman of the New Jersey Parole Board than Mario Paparozzi. I know that Mario will bring with him the wealth of experience and unrelenting commitment to the mission of public safety. He is a man of unquestionable integrity and relentless energy. I am pleased to give Mario my unqualified endorsement.

Thank you.

R A Y W A H L: Mr. Chairman and members of the Senate Judiciary Committee, my name is Ray Wahl, and I am President of the American Probation and Parole Association. This professional organization represents

3000 individual members and over 30,000 agency and affiliate members who work in the field of probation and parole. For the past three years, I have been the Utah Juvenile Court Administrator. Prior to that, I worked over 23 years in the Utah Department of Corrections, and the last five years, I was the Director of Probation and Parole. I consider it an honor to be able to share with you information about the character and professional competence of my friend and colleague of over 15 years, Dr. Mario Paparozzi.

As many of you know, parole throughout this country is under fire. However, because parole is getting this type of attention, there is an opportunity to make appropriate changes now. One of the keys to appropriate changes is strong leadership. That is one of the issues that the “Broken Windows Probation” report stresses. I brought a copy of that report. (indicating report) It’s not going to surprise you that one of the authors of this report is Dr. Paparozzi. He has taken strong positions on such issues as intensive supervision parole, the Interstate Compact for the supervision of probationers and parolees, and most recently, the “Broken Windows Probation” report.

Let me just say that if you stacked up all of the efforts of all of the people that talk about this report throughout the country, it would not stack up to the extent that Dr. Paparozzi has gone around this country and talked about the report. But exactly what are the qualities that Dr. Paparozzi brings to this elusive descriptor called leadership? I’m going to kick off a couple of them.

Dr. Paparozzi understands the research available to the field of parole very well. This research is typically called the what-works research. As

the Assistant Commissioner of the New Jersey Department of Corrections, he was able to translate the research on what-works into public policy. In all of his years working in parole and moving up the administrative ladder, he has never forgotten the critical role that line parole officers play in changing behavior. People without this experience cannot and do not understand the implications of policy changes on the community and the staff. While working in parole, he worked tirelessly to enhance professionalism. His work experience with national standards, training, and organizational development will be invaluable as the Chairman of the Parole Board.

In all of his years of involvement in the American Probation and Parole Association, including being the immediate past president, he has always represented this state well. I'm proud to say that I was born and raised in New Jersey, that I went to high school here, that I graduated college in New Jersey. And the only reason why I moved away was to go to graduate school, and I met my wife in Utah and will probably not return to this state. I also have a mother and a brother and sister-in-law that continue to live here.

Mario's dedication to duty always impressed me. And I felt that this State's parole system was always in good hands. And I am concerned that other parole systems do not pay enough attention to the public safety responsibilities they have. You will not have to worry that -- because it will be a priority for Dr. Pappozzi.

I certainly appreciate the fact that this is an appointment process of this state. But I must share with this committee that I have received excited phone calls of anticipation from other professional organizations, Federal agencies, and parole boards that a person like Mario, with such strong

character and leadership ability, may once again be directly involved in the field of parole.

The late Utah Governor Scott Matheson once spoke about public office. He described it as not an occupation, but a fragile moment in life where people place in you their trust and confidence. He also said that while we are in public office, we should do what we can to protect the past and to secure the future. Not unlike Governor Matheson's description, this is one of the fragile moments with the parole system in this state. Based upon my long-standing friendship, both personally and professionally, with Dr. Pappozzi, I am certain that he will secure the parole system's future for this state.

Thank you very much for this opportunity to address this very important issue with you.

SENATOR GORMLEY: Thank you.

The next witness Deborah A. Hansen.

DEBORAH A. HANSEN: Good afternoon, Senators. My name is Deborah A. Hansen. As a resident of this state, I stand before you in strong opposition to the confirmation/appointment of Mario Pappozzi to the position of chairman, New Jersey State Parole Board. I ask that this Committee reject this nomination for the betterment of our justice system and the good people of this state.

Senators, I am the past Deputy Compact Administrator for the State Department of Corrections. I was solely responsible for the daily management of the entire Department's interstate operations. I originally assumed this position in April of 1978. My educational background and professional-public service achievements have been recognized, considered

extensive, and noted as impressive. I have earned many national positions and awards and distinctions in the corrections and parole field. My resume is available at the request of this Committee.

Also, for the record, I was fired by past Commissioner William H. Fauver in June of 1994 for undue familiarity with a parolee. This charge was merely based upon an association and did not involve allegations or findings of any ethical violations or of any official misconduct in office connected to or with this relationship. The matter remains pending under New Jersey appellate review.

My direct knowledge as to Mr. Papanozzi's professional dealing and decisions within the DOC must strongly conclude he does not hold the professional character, integrity, and level of honesty demanded and required to sit in this esteemed position of Chairman of our State Parole Board.

The facts, as I know it, are as follows:

Fact 1: There is reasonable cause and foundation upon which I can assert Mario is a Civil Service test cheater. He unfairly gained promotional rank and power within the Bureau of Parole from test and study groups. He obtained and used the DOP, Department of Personnel, internal file sample tests to gain increased competitive test scores for himself and selective subordinate parole loyalists. The tests I received came from the runner of the sample tests. His name is Robert Romoser. I had sample tests sealed by an attorney. The attorney's name is Peter Dawson. I later transferred these tests as sealed documents to my civil rights attorney in 1992. I have participated as a material witness in investigations which resulted in the DOC in the early 1990s and the New Jersey Division of Criminal Justice in the summer of 1997.

Governor Whitman was advised of this in my letter to her, dated December 19, 1996. To date, this government has not addressed this conduct.

Fact 2: Mario has been in the management of various programs within the Bureau of Parole which were either ill-conceived, poorly managed, or otherwise resulted in harm to the citizens of this state.

The first one I'd like to speak to is the banking program. This program was designed by Mario. Its design was flawed and intentionally left convicted parole felons without community supervision or surveillance. The program totally relied upon the parolee to contact his or her parole officer if they got arrested. I intervened -- at the time, it was with Commissioner Fauver -- and stopped the program, fearing negligent lawsuits and unsafe conditions within our community. The program was tantamount to the illegal invocation of parole discharge prior to sentence expiration.

The other program is the electronic monitoring program in 1991-92. Mario's questionable ethical dealings, for which he settled his case before the State's Commission on Ethical Standards, resulted in over a \$3 million award to the company who granted Mario the benefit for which he received the ethics charge. I had direct dealings with the competing firm. The fallout was the cessation of the EM program when the equipment failed and resulted in unmonitored convicted felons being arrested on serious and numerous criminal charges. Senate hearings were held in 1992, and the program was suspended and set back years. The economic and social impact of this has yet to be calculated in terms of increased bed-space cost and crimes committed against the citizens of this state.

Another project he was assigned was the effectuation of operational parole procedures within the Bureau of Parole after the interstate laws were updated in 1992 by the Council of State Governments. In 1990, Mario failed to perform his mandate to cooperate with a representative of my office in transforming newly published interstate regulatory law into understandable parole field staff operations. In late 1989, I promoted this objective to then Assistant Commissioner John Zerillo. Mario was assigned the task within the Bureau of Parole. Despite my ongoing protests that Mario was not effectively moving the creation of written procedures, the matter never got resolved or moved by correctional top brass.

Consequently, at the time of the Senate hearings into the transfer of Robert "Mudman" Simon, our State parole officers had no written operational guidelines in which to follow the current and newly created interstate laws. Commissioner Fauver's testimony that parole officers did not have the public regulations in the form of the national administrator's manual were intentionally misconceived. It was Mario's failure to transform these complex interstate regulations into understandable field operational procedures. This failure to perform his duty in 1990 significantly correlated with the lack of interstate knowledge within the parole ranks. At the time of this ill-fated transfer in 1995, Mario had been promoted and was sitting in the position of Assistant Chief, Bureau of Parole.

General other deficiencies during his management time during the period of the Bureau of Parole-- Mario was in the Bureau of Parole's management as an assistant chief during the darkest days in the history of the Parole Bureau's operations. He held this position from 1994 until his formal

appointment to assistant commissioner, Division of Parole and Community Programs, in March of 1997. In addition to the suspect transfer of Robert Simon, I now ask this Committee to reflect and recall upon the times of the intense dark publicity during 1995 and 1996. It was the time of the murder rampage of Darnell Collins, when a local field agent was more interested in his weekend plans than in helping this desperate parolee. I am sure the news clips still remain ringing in people's minds. Gentlemen, where were the administrative regulations clearly delineating field staff responsibility in after-hour supervision in such emergent matters?

This was also the time of the Philadelphia treatment program scandal, where interstate regulations were ignored, extradition laws were violated, where New Jersey parole succeeded in moving our parolees into unsuspecting PA neighborhoods, into uncertified flop houses under the guise of drug treatment. All this resulting in PA voter registration fraud, welfare fraud, and Medicaid fraud. I intensively worked with various investigatory reporters to get this out to the press to force the immediate cessation of this illegal conduct by the Bureau of Parole. I also testified before a convened PA Grand Jury. The matter remains unresolved. It is conservatively estimated that this New Jersey scam cost the Pennsylvania taxpayers in excess of \$3 million. All this created by our Parole Bureau's intentional undermining -- undermining which shows our disrespect for this country's obligations in honoring another state's sovereignty -- demonstrates our disrespect for this country's bound constitutionally respected laws. No parole personnel, including Mario, were ever held accountable for these illegal acts.

Fact 3: Mario, during 1997-- This was his first year of his tenure as Assistant Commissioner in the Division of Parole and Community Programs. He grossly inflated the New Jersey active parolee caseload numbers by over 100 percent. This resulted in highly inflated New Jersey caseload numbers being officially reported and published by the Bureau of Justice Statistics, U.S. Department of Justice. The detailed assessment of this misrepresentation is attached to my testimony, which is before this Committee. That attachment shall show that Mario certified the active New Jersey parole caseload numbers to be 41,547. The true caseload amounts were, in fact, 16,884. This misreported representation is clearly indicative of a manager seeking to gain increased budget and Federal grant benefits through fraudulently reported workload indexes. Such extreme conduct directed toward the gaining of budget benefits is not indicative of an honest public servant.

Senators, I submit to you, at best, Mario's conduct is unethical in that situation. At worst, it could be viewed as official fraud.

Fact 4: Mario Paparozzi, along with Andrew Consovoy (phonetic spelling), the past Parole Board Chairman, and others, intentionally contrived the baseless arrest and illegal incarceration of Neil Hunterson (phonetic spelling). Mario was a participating party to the planning of a trumped up rationale to form the basis of an accelerated revocation process against this parolee. This contrivance has resulted in over five years of illegal incarceration. That statement is confirmed by a court decision handed down by the Honorable Judge Rodriguez, Federal District Court, Camden, and which was decided in 1998 and reaffirmed this past May. A package can be made

afforded to this Committee to affirm this and additional actions with Mr. Paparozzi with regard to this incarceration.

Prior to my appearance, I had E-mailed this Committee -- and grant you, I was extremely passionate about my opposition -- about other problems with the nominee. They include, but are not limited to, the following: his questionable maintenance of a PFRS pension benefit while serving in an administrative management position as assistant commissioner in 1997 and 1998. A request to the State's Ethics Committee for investigation remains pending since 1998. Mario's decision, as division head, to segregate disabled parole officers into the Office of Interstate Services at great professional harm and cost to these longevity people-- Lawsuits remain pending directly as a result of this decision and numerous other matters, Senator, which I clearly cannot and do not have time to address here.

In conclusion, I reaffirm my offer to assist in any further or more detailed investigations should this Committee seek same. I urge you to seriously consider rejecting this pending nomination of Mr. Paparozzi to this State's Parole Board in any appointed capacity.

Thank you very much for your time and your patience.

SENATOR GORMLEY: Thank you.

The next witness is Rebecca Ashton. (no response)

Michael Volk.

MICHAEL VOLK: Senator Gormley and Committee members, my name is Michael Volk. I am a former employee of the New Jersey Department--

SENATOR GORMLEY: Is the red light still on? (referring to PA microphone)

MR. VOLK: Excuse me?

SENATOR GORMLEY: Is the red light on?

MR. VOLK: Oh, it's not on. Should I hit it?

SENATOR GORMLEY: Yeah. Hit it.

MR. VOLK: Senator Gormley and Committee members, my name is Michael Volk. I am a lifelong resident of New Jersey and former employee of the Department of Corrections from 1981 to 1999. I first met Mario Paparozzi in October 1983, when I was a senior corrections officer on a parole orientation trip to East Orange. I would later work under Mario beginning in June of 1984, when I became a parole officer. Mario Paparozzi does not have the integrity, honesty, or ability to lead the State Parole Board, if his prior record and performance in parole is reviewed.

Mario Paparozzi completely mismanaged the electronic monitoring program. Don't let Mario brush it off as a simple ethics complaint over a trip to Florida. The competing vendor sued the State over the cost of the equipment and its effectiveness. The vendor noted that the equipment Mario selected would jeopardize the public safety. Mario responded by stating the equipment was working fine. A person was murdered in Paterson by a parolee on the EM program, because the equipment Mario selected was defective. Mario knew as early as October 1990 the EM equipment was faulty, but he placed the public safety at risk.

Assistant Chief Mario Paparozzi was also the deputy administrator for the interstate transfer program in 1995, when it became public that New

Jersey violated the interstate agreement by sending at least 130 paroled felons to Pennsylvania, where they were sent to drug rehab and illegally collected welfare. This is another prime example of Mario's previous performance in parole.

The role Mario Paparozzi played in covering up workplace violence placed the safety of New Jersey's citizens in jeopardy. Paparozzi personally covered up an incident in DO-9 in September 1997, when a parole officer went off. An army of Newark police officers were called to regain control of the situation. Mario reported to the Newark police headquarters for damage control. The next day, Steve Paparozzi reported to DO-9 and had witnesses give vague statements to protect a brother PBA officer. This officer was later arrested for threatening his girlfriend, and each time he was returned to duty.

Mario Paparozzi blocked the administration of psychological testing for parole officers before issuing firearms. This is not only poor decision making by Mario, but creates a potential danger. Do you know of any law enforcement agency in New Jersey that places deadly weapons in the hands of individuals before some form of psychological assessment or testing?

Mario has also been engaged in covering up various domestic violence arrests committed by officers. His own brother has been arrested twice, and each time it was covered up. The efforts of Senator Kosco, who pushed for greater penalties against domestic violence, is negated when Mario Paparozzi has one policy for families and cronies and another policy for the nonconnected. Is this the cornerstone of justice and law in New Jersey?

Mario forced out the only female African-American district parole supervisor, because she would not do his bidding by bringing officers up on phony charges or manipulate the arrests of parolees to justify parole officers carrying firearms. This supervisor would face heavy intimidation by Mario's surrogates, because she opposed the type of Jim Crow lynching that was Mario's forte.

Many if not most of the major parole problems in the current news were the results of Mario's undermining both the Division of Parole and the State Parole Board. Mario took the IPOs, institutional parole officers, out of the prisons. IPOs were Division of Parole employees who served as the liaison between the Division and the State Parole Board. This led to a breakdown in the lines of communications and miscommunications to law enforcement agencies.

Mario Paparozzi directed that senior parole officers could be promoted to district parole supervisors without serving any time as an ADPS, an assistant district parole supervisor. This was done to create disrespect for first-line supervisors who were not under the control of PBA Local 326. What law enforcement agencies in New Jersey would allow direct promotion from police officer to lieutenant without experience as a sergeant? Mario would often promulgate policies that were in direct conflict with the State Parole Board. Some areas in dispute included interstate travel and transfers, probable cause hearing conflicts, and no clear standards or agreement to apply to various special programs.

Frank Ginesi (phonetic spelling), former State PBA president, under Federal indictment stated, "Mario is like a son to me," in 1997 in the

Breakers Hotel, Spring Lake. Mario's role in various dinners to honor Ginesi should be explored, since Mario at some point was in conflict with the law since he was an administrator in parole while concurrently serving as PBA president. By virtue of Mario's state position, it is of questionable ethics to even informally speak to employees about union issues and support for particular political candidates.

My direct problems with Mario Paparozzi and vendetta against me started in January 1989 when Mario was an administrator -- approached me as PBA president to question me about the many problems that were brewing in DO-13, which was recently created from DO-2. When I failed to give Mario the answers he was seeking, I found myself subjected to harassment and several pretextual charges. Mario Paparozzi was in the position of SPO, supervisory parole officer, and serving as PBA president of Local 326. Mr. Paparozzi improperly used his state position to retaliate against individuals by using the disciplinary process to enforce his agenda.

When I told Mario that I would not falsify State Motor Vehicle records used to calculate taxable commuting use, I was subsequently charged by this ADPS, who was traveling 200 miles a day with a State vehicle, with threatening him. This same ADPS made false charges against an officer who worked with Mario in the early '70s in the Union County Welfare Office.

At some point, I wrote to State Senator Richard Zimmer. Under the Conscientious Employees Law, I explained how I was falsely retaliated against by Mario Paparozzi, because I would not submit false reports to benefit Mario's cronies.

Another major disagreement with Mario was my refusal to attend a picnic for Chuck Hardwick, who was running for GOP nomination for governor. I explained to Mario that I was committed to Congressman Jim Courter, because the Essex County Republican Committee was supporting him. I also told Mario at the time that I had caddied for Representative Courter's father at the Essex Fells Country Club when I was younger and that I would not be duplicitous in my support. Apparently, Mario did not understand my position and continued to use his cronies and contacts in parole to put me in bad light. After trying to reason with Mr. Pappozzi, I contacted Commissioner John Renna (phonetic spelling), the Essex County Chairman, to explain my situation. A transfer to DO-9 in Newark was arranged, where I worked between August 1989 to March 1997 without disciplinary charges on my record. But notwithstanding, at least three attempts were made by Mario to bring false charges and have me removed from my position.

In October 1991, Mario went to the Essex County Jail Annex warden, who previously worked for Mario as a project specialist or political appointee. This person lost his position in a dispute with Governor Florio and Nick Amato. Mario had false charges brought against me to prevent my promotion that would have happened if not for Mario's actions. I was later promoted to the denied position in November 1993.

In March 1977, Mario's former brother-in-law becomes my direct supervisor and proceeded, after 10 to 12 days, to reduce my performance rating, known as a PAR in State government, from a 2 to a 4 and initiated the first of eight disciplinary charges against me. Needless to say, by June 1997,

I wrote to Attorney General Peter Verniero explaining my problems with the newly appointed Assistant Commissioner of Corrections, Mario Papanozzi. I cited the efforts of his former brother-in-law to create not only a hostile work environment, but also listed the pretextual charges designed to end my employment with the State, because I refused in the past to cooperate with Mario in what I believed was unethical, unlawful, and illegal actions.

Mario Papanozzi divided the Division of Parole and the State Parole Board to achieve his own ambitions and to create the current environment where parole is not working. The parole problems juxtaposed with probation clearly shows that the problems in the news with parole and corrections is not a problem with the criminal justice system inasmuch as a restricted problem which were the makings of Mario's past involvement with parole in his various positions. Do you want a person like Mario Papanozzi, with his history and use of power, to be in charge of many unclassified positions available for possible abuse and for his forms of discrimination and granting parole, as with his cronies?

Thank you for giving me this opportunity to address the Committee.

SENATOR GORMLEY: Thank you for your testimony.

MR. VOLK: Thank you.

SENATOR GORMLEY: We have some more witnesses. I would ask them to be brief. They're all supporting the nominee. Including their testimony, we'll have the nominee come back up and make comments. Not yet. Not yet. We're going to have, first of all, Commissioner (*sic*) James O'Brien. Also, Richard Pompelio and Richard C. Kramer. We appreciate your

summarizing whatever statement you might have had, because we want to get back to asking the nominee some questions. Go ahead.

RICHARD D. POMPELIO, ESQ.: I'm Richard Pompelio. I'm the Director of the New Jersey Crime Victims' Law Center. As a private victims' rights organization, I'm here to support the nomination of Dr. Pappozzi. I will simply say that after having heard what I just heard for too long a period of time reminds me of the words of William Shakespeare, "full of sound and fury and signifying nothing." But I will-- Certainly, I hope you will not allow the personal bitterness of what we've just heard to overshadow the absolute sweetness of this day for the State of New Jersey.

The fact that we have all come from all corners to support Dr. Pappozzi today is an indication of his respect throughout the criminal justice system. One has to wonder, with his capability and his integrity and his value, why he and his wife would sit here and listen to such obvious defamatory comments. And I think it's because of the fact that he has such an incredible sense of justice and integrity and desire to do what's right in the State of New Jersey that he would actually listen to this and say, "nevertheless, I will come and do what's best for this state."

I can honestly say to you that as someone without any personal agenda. I have never been fired by him or anybody in his organization. My only interest is that we have the absolute best justice system that we can in the State of New Jersey and that you have the absolute best person for this position to vote on today, and I respectfully urge you to do so.

Thank you.

RICHARD C. KRAMER: My name is Dick Kramer. About two weeks ago, I read in the paper, or I learned in the paper, that Governor Whitman had nominated Mario Paparozzi for the post of Chairman of the Parole Board. I was overjoyed and immediately called to congratulate him. I believe Mario Paparozzi is the man to take on the problems of the Parole Board. You already know his qualifications, but I am here to speak just a few moments about Mario the man, the person.

Shortly after I retired in 1987, my daughter Betty Ann was raped and murdered, which led me to another career as a crime victim advocate for 13 years. It was in that role that I met Mario -- a man who cared, a man who listened, and a man who kept his word and commitments. He willingly came to our survivors' group to speak and teach, because he knew that crime victims are eager to find out how the system works. I think it is important to note that our meetings were on Sunday afternoons, and he had an hour-and-a-half drive each way to get to us. And we appreciated that.

During my 42-year working career, I wore many hats in business management and human resources, and I pride myself in the ability to recognize competency and loyalty. Mario is special. He is well-qualified and indeed a natural for the post of the Chairman of the Parole Board.

To the Senate Judiciary Committee, I ask you to accept Mario in full faith of your responsibilities.

Thank you.

JAMES K. O'BRIEN: Mr. Chairman and members of the Committee, I'll make it very brief. I first met Mario in the basement of a home one evening in November, 13 years ago, when the formation of the New Jersey

Coalition of Crime Victims was formed, and I was elected Chairman that evening. I met he and his wife at that meeting. Mario had no real reason to be there. He was not a crime victim. However, his interest in crime victims was the reason that brought him there.

During the next 13 years, and during the time when we passed legislation here in Trenton and then on to Article I, Paragraph 22, of the Constitution, Mario Paporozzi never wavered in his desire to participate in this process. On the other hand, I've had the opportunity, during this 13 years, of working with Mario on many projects when he was in the parole system and when he was in the Department of Corrections. I know Mario very well. I know his capabilities. I know he knows the system that he is about to embark in like no one else, probably, in this whole state.

So balancing those two together, and knowing my keen interest in victims, I cannot do anything but wholeheartedly, unequivocally recommend Mario for the position of Chairman of the Parole Board. And I can tell you right now, it will be a changed system very shortly.

Thank you.

SENATOR GORMLEY: Thank you for your testimony.

Dr. Carlos Alves, the College of New Jersey.

C A R L O S A L V E S, Ph.D.: Good afternoon. Mr. Chairman and members of the Committee, my name is Carlos Alves. I'm an Associate Dean of the School of Arts and Sciences at the College of New Jersey.

The Council of Associate Deans, which I chair, is currently functioning as the dean in his or her absence. My comments will be based on my knowledge of Dr. Paporozzi at the college. I never knew him before that,

but I should tell you that he is extremely well-respected by both his students and his peers. He is a very active scholar. He publishes, very steadily, professional articles. He reviews them for other people's -- again, referee journals, and he is also on the Editorial Board of *Corrections Management Quarterly*, for instance. The reason I bring these things up is to give you an idea of how he stays active and current in his field. He continues delivering lectures at both regional and national meetings. He brings an excitement into the classroom that gets the students motivated, inspired, and wanting to be involved in society in general.

He, as I mentioned, is very well-liked by his students, but they find him challenging, however very fair, and that would be something that I would imagine he would like to see in someone in his position. His peers constantly talk about his ability to make difficult concepts easy to understand, speaking to his communications skills. And finally, I mean, when we are in academia, we always talk in terms of three areas: teaching, research, and service. And I'll touch these here, because that's how I know him, but trying to look at the points that may be of interest to this Committee for this job.

Dr. Paparozzi is an extremely hard-working individual. He always gives his time not just to his students, but to the college community in general, and really, the community at large. The attributes that I see in him, and some of which I tried to describe, make him a very good candidate for just about any job. His knowledge of corrections and parole system, his sense of fairness, his commitment to hard work and getting the job done, his communication skills, and, in my opinion, his unquestionable integrity make him an outstanding candidate to chair the Parole Board.

I want to thank the Committee for giving me the opportunity to speak on behalf of Dr. Mario Paparozzi.

SENATOR GORMLEY: Thank you.

Doctor, would you come back up again, please?

Do you have any comments regarding any of the earlier testimony that was made about you? And also, if the Committee has any additional questions, I'd open it up for questions. But first of all, do you have any comments to make?

DR. PAPAROZZI: I really don't, Senator. Just that the negative commentary that I heard is gross exaggeration of fact. I didn't hear anything that was true.

SENATOR GORMLEY: Questions from members of the Committee? (no response)

Okay. We have four other people that asked to testify. They're all in favor. The New Jersey Parole Officers, Caesar Ferrara and Alan Brewer; John Zerillo; Daniel L. Lombardo, Volunteers of America, Delaware Valley; and John Pinkard Sr., Center for Urban Educators, Inc. Okay. And they would all-- Their testimony follows the line of the other testimony.

SENATOR MATHEUSSEN: I have two quick questions.

SENATOR GORMLEY: Go ahead.

SENATOR MATHEUSSEN: One, I'm interested to find out what, if any, implementations you would take, Doctor, with regard to notification of community, particularly law enforcement officers in the area--

DR. PAPAROZZI: I'm having trouble hearing you.

SENATOR MATHEUSSEN: What steps would you take to contact the community, particularly law enforcement officers, with regard to Megan's Law releases?

DR. PAPAROZZI: Regarding Megan's Law, I would work, first of all, hand in glove with the Department of Corrections on notifications. I mean, we need to support each other rigorously. Regarding the law enforcement community, what I would like to do actually -- and I don't know if this is overly ambitious -- I wanted to shoot for monthly meetings with local law enforcement groups around the state, but I was thinking about that the other day, and I may have to do quarterly, but certainly, routine meetings with local law enforcement, prosecutors' groups, chiefs of police, myself, and other corrections leaders in the state to find out if they have any issues about notification. If there's something that the parole board can do to tighten up any cracks, I am absolutely committed to making sure that that happens.

SENATOR MATHEUSSEN: We've heard some of that before this Committee, and certainly that is a concern, I think, of statewide offices. And I think it's something that needs to be addressed.

The other is a significant backlog of inmates. What, if anything, do you propose to do to speed that backlog to-- Without obviously affecting the integrity of the parole system, what are you going to do to speed up that backlog?

DR. PAPAROZZI: Let me say two things. One is that my read on the backlog issue is that everybody is entitled to get a hearing on time. Everybody is not entitled to parole. Now, secondly, I'd like to say that, again, my reading of the materials and discussions I've had under the leadership of

the current Vice-Chairman of the Board, Mr. McCargo -- tremendous progress has been made in that backlog. And I understand that just recently, as of May or June, it was around 4300. Now, it's down to about 1000. And while the goal is to reduce it 1000 a week, they're reducing it about 600 a month, more than double. The Board is working six days a week, long hours. They've taken some productivity changes and put them into place. Again from my read and my discussions, and he didn't know that I was going to say this today, but Mr. McCargo deserves a lot of credit for the progress. And we'll continue that progress and move to get ahead of the curve rather than just stay even. Being ahead of the curve, Senator, will help notifications to the Department of Corrections regarding Megan's Law cases, as well.

SENATOR GORMLEY: Wait a second. Senator Zane, then Senator Martin.

SENATOR ZANE: Just two questions. There is technology enhancements that we have today-- I'm actually reading a question that's prepared by somebody. Let me ask you this. My understanding is that parole boards can actually convene by way of telephone conferences. Is that correct?

DR. PAPAROZZI: That's my understanding. Yes, that's possible.

SENATOR ZANE: What are your thoughts about that? Somehow that bothers me.

DR. PAPAROZZI: What's that?

SENATOR ZANE: Somehow that bothers me, but tell me your thoughts about it.

DR. PAPAROZZI: As long as it's completely interactive, I'd like to try it. I have not given a lot of thought to it, frankly, because I do not know

that we have the centers in our state to pull that off. But as long as it's you talking to me as we're talking now in an interactive way, I don't think you lose anything, likely.

SENATOR ZANE: But don't parole boards, when they meet to discuss somebody -- doesn't the potential parolee have the opportunity to appear before the parole board?

DR. PAPAROZZI: Yes.

SENATOR ZANE: Well, then, how do they appear before the Parole Board if it's on telephone?

DR. PAPAROZZI: Well again, if it's completely interactive, I would imagine it would appear just like we're appearing right now. I've seen the video conferencing technology, not in a parole board context, but it is, in fact, a conversational technology. My preference would be to not do that, but if for productivity reasons one needed to look at that, I would be willing to take a look at that.

SENATOR ZANE: Somehow that concept bothers me.

DR. PAPAROZZI: And me as well.

SENATOR ZANE: I wouldn't want somebody to judge me by-- I don't even know how many people are even on the Parole Board today, what the number is, but I wouldn't want somebody to be judging me in a telephone conference.

SENATOR GORMLEY: It might be helpful. It might be helpful.

DR. PAPAROZZI: Senator, let me say this just on that point. I don't believe, frankly, as I sit here, I don't believe that we would get to that point anytime in the foreseeable future. I think that we've made a lot of

progress, and we'll get ahead of the curve. And I doubt that we'll have to go there. That's my honest opinion.

SENATOR ZANE: Last question. Certain sex offenders are required to participate in lifelong community supervision once they're paroled. Is that your understanding?

DR. PAPAROZZI: Yes.

SENATOR ZANE: How do you intend to implement that?

DR. PAPAROZZI: Well, it's already been implemented. When I was at the Department of Corrections, they had conditions just like any parolee. And when they violated those conditions, however, it was a new crime of the fourth degree. It was not a parole revocation hearing. So parole officers in the Department of Corrections proceed with new criminal charges on those violations presently, and I'm sure that they'll continue to do that. That would be my expectation.

SENATOR ZANE: What would be your position regarding those kind of parolees moving out of the State of New Jersey?

DR. PAPAROZZI: Megan's Law cases?

SENATOR ZANE: Yeah.

DR. PAPAROZZI: I would really frown upon that, Senator, just as I would frown on accepting a Megan's Law case from another state. I think, though, that there would be exceptions that could be justified, but they need to be looked at carefully, on a case-by-case basis. But as a general rule, I am not in favor of having that kind of mobility for that population.

SENATOR ZANE: Okay, thanks.

SENATOR GORMLEY: Senator Martin.

SENATOR MARTIN: I guess this is sort of related. I might just mention, Senator Zane, I was talking to representatives from the Office of the Administrative Courts, the OAC, this morning. They were talking about how they are moving forward in a very, I think, speedy way, at least in some civil cases, to have interactive television and have witnesses present themselves in regular trials. I think it raises some questions. But the idea of having virtual reality transactions in some cases -- I don't think we should prohibit it. I think it needs to be, perhaps, looked at and maybe done in a very -- maybe on a pilot basis in some selective cases to see how certain things are done. But I think it's happening, and I think it's probably for the better in the long run to at least explore.

My question is related, which is the Parole Board has five members, right?

DR. PAPAROZZI: The Parole Board has 10, plus a chair.

SENATOR MARTIN: I'm sorry. The 10-- There's 10, plus a chair. And when you actually have a review of members, how many members review a case at one time?

DR. PAPAROZZI: Generally, the board operates in panels of two, and there's one panel of two for juveniles.

SENATOR MARTIN: I was wrong in the first one. I didn't want to make another wrong assumption.

DR. PAPAROZZI: Well, that's--

SENATOR MARTIN: But in my understanding, they usually sit, and if the two agree, then there's usually--

DR. PAPAROZZI: Yes. The chairman serves as the ex officio member of all panels. And in addition to that, Senator, the system is set up such that a senior hearing officer assigned to an institution reviews certain cases, certain offense-type cases -- the lower offenses, for example -- makes a referral to the Parole Board with a recommendation to parole or not parole. A board member does a review of that and could sign off or could disagree. So you have that process working, as well as the panels of two. Senior hearing officers function as an initial reviewer in certain cases. For murder cases, for example, the full board, on the other hand, would have to meet and make a decision with the full board.

SENATOR MARTIN: In getting to the backlog, I'm just interested in the way it's -- the process works. Was it your understanding that somehow there was just not enough attention given to the cases, or was this system such that they couldn't keep up with the number of cases that were occurring? Is there any way you would -- your sense, at this point, as to how we got there, and how in a matter of a few months they could actually not only keep pace, but actually make a tremendous dent in the backlog that occurred just a few months before was reaching crisis proportions? I mean, how do you go from one extreme to the other so quickly with the same team?

DR. PAPAROZZI: Senator, I don't really have enough information to answer that thoroughly. My understanding, however, is that there's been a dramatic increase in the number of hours of all of the staff, including and especially the Parole Board, since this issue came to the forefront, and that the staff came together in a very unified way -- it's again my understanding; I don't know this firsthand -- and said, "Look, we'll put in

whatever hours we need to put in -- 10, 12 hour days, six, seven days a week, to get done what needs to get done. I don't know if it's structural or if it's primarily an organizational issue, but we'll certainly get to the bottom of it.

I have a friend -- I'll just mention briefly on -- who was appointed a couple of years ago to the board in Pennsylvania. And he sent me an E-mail when he read about this, and he said, "Have no fear." He said, "You know, when I came on, we had a backlog of whatever, and now we're three months ahead, and we made a few commonsense changes along the way." I don't know that we need to make a major restructuring overhaul. Again, under Mr. McCargo's leadership, something happened there, and something changed, I would say, on the dime, obviously. The progress is tremendous and notable.

SENATOR MARTIN: I guess we're all concerned about two issues. One is that, from a safety point of view, crime victims and others -- potential crime victims, that we're not just sort of playing catch-up in a sort of expedited way that just allows things to go forward. On the other hand, we're also concerned about the due process to make sure that from these parolees', or would-be parolees' point of view, that they are given a fair and careful review. So it strikes me, at least at this point, that you're, I think, the right person to sort of make that analysis, but I'd be real interested to know -- assuming you do achieve this position, that you would be able to enlighten us -- if you think there are organizational or structural issues that need to be accomplished.

I gather you're not prepared to recommend, at this point, some system -- some structural system in Utah or in other states or something other

than what our current system is, at least until you have a chance to investigate further.

DR. PAPAROZZI: I have some strong ideas, obviously, but I am not going to mention them here today until I have a chance to thoroughly look at it, should I have the opportunity to do that.

SENATOR MARTIN: Thank you.

SENATOR GORMLEY: Senator Matheussen.

SENATOR MATHEUSSEN: I have just one more issue. And this one is kind of-- But I need to know-- I think you've handled it very well, but Ms. Hansen, who testified against your nomination, raised an issue that certainly had grave concerns in my district regarding "Mudman" Simon and the implementation of regulations. Can you tell me your involvement or lack of involvement in that entire area back in -- I guess it was '95, '96, or sometime in that area.

DR. PAPAROZZI: Ms. Hansen's account is not accurate. I was appointed to be in charge of operations, and specifically interstate, after "Mudman" Simon by Commissioner Fauver to make some corrective moves. So I was not involved, operationally, in the "Mudman" Simon era, and that's the extent of it.

SENATOR MATHEUSSEN: So you were not involved prior to, but after.

DR. PAPAROZZI: I was not involved prior. After "Mudman" Simon, Commissioner-- Sometime after that -- about a month, maybe a few weeks, I'm not really sure -- Commissioner Fauver called me and asked me if

I would assume operational responsibility and also assume the responsibility over the Office of Interstate Services.

SENATOR MATHEUSSEN: Which included the debacle between New Jersey and Philadelphia that was reported by the *Philadelphia Inquirer* story.

DR. PAPAROZZI: No. I think that happened prior. I was not involved in that issue.

SENATOR MATHEUSSEN: Thank you.

SENATOR GORMLEY: Any other questions? (no response)

Okay.

DR. PAPAROZZI: I'm not really sure about the time frame. I just know that I did not have direct involvement.

SENATOR GORMLEY: This will be the final question. Are there any states that have merged the responsibility of corrections?

DR. PAPAROZZI: Senator, I'm sorry--

SENATOR GORMLEY: Are there any states that have merged the-- Because there is an overlap, and sometimes there is a, let's say, let's call it competitive -- between corrections and parole-- That's a fair comment, isn't it?

DR. PAPAROZZI: Absolutely.

SENATOR GORMLEY: Yes. One will call about the one, one will call about the other. It will go back and forth. Is there a state, or has there been a circumstance where there has been consideration of pooling both responsibilities under one department?

DR. PAPAROZZI: Oh, absolutely, Senator.

SENATOR GORMLEY: What states?

DR. PAPAROZZI: There are many. New York state has been like that since I've been around. Pennsylvania's like that. I was just called to advise in West Virginia on that very issue. In fact, I will say--

SENATOR GORMLEY: Has it ever been studied in New Jersey?

DR. PAPAROZZI: Not that I know of, no. I believe not.

SENATOR GORMLEY: Thank you.

Do I have a motion?

SENATOR MARTIN: I move to make that motion, Mr. Chairman. I think that-- I would have hoped that there was unanimous support. What we've seen is of some small concern, but it does seem to be employees who may not have been in a position-- I don't doubt that they are sincere, but I think their position may be one where they haven't been able to see this in the larger perspective from the view that the nominee, as well as from a department perspective. And the support from the law enforcement and victim rights community, I think, is credible, as well as the actual credentials of the candidate. So I would make that nomination -- motion, excuse me.

SENATOR GORMLEY: Okay.

SENATOR MATHEUSSEN: I'll second it.

SENATOR GORMLEY: Second.

MR. TUMULTY (Committee Aide): Senator Gormley.

SENATOR GORMLEY: Yes.

MR. TUMULTY: Senator Cafiero.

SENATOR CAFIERO: Yes.

MR. TUMULTY: Senator Bennett asked to be voted in the affirmative.

Senator Martin.

SENATOR MARTIN: Yes.

MR. TUMULTY: Senator Matheussen.

SENATOR MATHEUSSEN: Yes.

MR. TUMULTY: Senator Robertson.

SENATOR ROBERTSON: Yes.

MR. TUMULTY: Senator Zane.

SENATOR ZANE: Yes.

MR. TUMULTY: Nomination is released.

SENATOR GORMLEY: We have a motion on the balance of the list?

SENATOR MARTIN: So moved.

SENATOR MATHEUSSEN: Second.

MR. TUMULTY: Senator Gormley.

SENATOR GORMLEY: Yes.

MR. TUMULTY: Senator Cafiero.

SENATOR CAFIERO: Yes.

MR. TUMULTY: Senator Martin.

SENATOR MARTIN: Yes.

MR. TUMULTY: Senator Matheussen.

SENATOR MATHEUSSEN: Yes.

MR. TUMULTY: Senator Robertson.

SENATOR ROBERTSON: Yes.

MR. TUMULTY: Senator Zane.

SENATOR ZANE: Yes.

MR. TUMULTY: Nominations are released.

SENATOR GORMLEY: Okay. Thank you.

(MEETING CONCLUDED)