



## **Virginia Parole Board Investigation**

### **FACT SHEET:**

- The Attorney General conducted a thorough investigation of the Virginia Parole Board pursuant to the authority granted to him by [Governor Youngkin's Executive Order 3](#) on January 15, 2022.
- A summary of the findings from the OAG investigation are contained in a 69-page report with supporting appendixes.
- The OAG investigation focused primarily on the Parole Board's activities in March and April 2020, during the period that the pace of parole grants was drastically accelerated.
- In 2020, the Virginia Parole Board's actions came under elevated public scrutiny after it released 95 offenders in March 2020 – the highest number of releases ever granted in a single month.
- The 95 offenders released in March 2020 included:
  - 4 capital murderers
  - 31 first degree murderers
  - 11 rapists
  - 33 offenders convicted of robbery
- Of the 134 offenders released between March 2020 and April 2020, 130 of them were convicted of violent crimes. Only four were non-violent.
- These offenders were not released due to COVID-19 and the Parole Board was not given authority to release offenders due to the pandemic. Instead, they were released due to the traceable actions of one person: then Parole Board Chair Adrienne Bennett. Bennett is now a judge for the 2<sup>nd</sup> Judicial District Juvenile &

Domestic Relations District Court in Virginia Beach, Virginia.

- The OAG report identifies three main areas in which the Parole Board failed to comply with Virginia law and its own policies/procedures:
  - (1) Release/Parole decisions were made with disregard for statutory rights of victims;
  - (2) Chair Bennett's April 2020 release of 137 parolees from supervision violated multiple laws, policies, and procedures;
  - (3) hundreds of offenders were given parole eligibility in violation of multiple Virginia laws and procedures.
- Victims were systematically ignored, disregarded, and silenced.
  - The board violated the mandate to "endeavor diligently" to contact victims **83 times** in a two-month period.
    - The Parole Board failed to notify families that the offenders who murdered, raped, and robbed their loved ones were going to be granted parole. Victims were not granted the opportunity to speak at parole hearings.
      - For example, the case of Vincent Martin, who murdered Richmond police officer Michael Connors and whose release generated coverage from local media, had 528 instances of victim opposition to his release from 39 different VA localities and 9 different states. VPB policy and procedure allowed for his parole to be rescinded based on significant victim opposition, but no action was taken.
      - Hugh Brown was sentenced to life in prison for shooting his pregnant girlfriend to death and setting her body on fire. Chair Bennett called his crime "sociopathic" in 2018 and he was denied parole in March 2020, but Chair Bennett ensured he received an "extra review" in April for his release. She ordered staff to stop the victim notification system from alerting the victims.
  - The board failed to properly notify local Commonwealth's Attorneys of its release decisions **66 times** during this period.
  - The Bennett board rarely initiated victim research and efforts to contact victims until at least some of the members had voted in favor of release. In many cases, victim research/contact only began after an offender had received *all* necessary votes for release. In some cases, the board attempted no victim contact whatsoever.

- Chair Bennett unilaterally discharged 137 violent offenders from parole supervision in her final days with the board – most of whom were convicted of capital or first-degree murder.
  - 70% of these early discharges were convicted of murder,
  - 10% multiple murders/manslaughter,
  - 7% single capital murder,
  - 52% single first degree murder
  - The average sentence per offender given early discharge was 104.14 years – life plus 28.
- Chair Bennett falsified three parole discharge records for three first-degree murderers in violation of 18.2-472. Virginia law prohibits government officials from making false or fraudulent entries in official records. These violations of the law cannot be criminally prosecuted because of the applicable statute of limitations has lapsed.
- Chair Bennett unlawfully suspended Virginia’s “three strikes” parole ineligibility statute (Va. Code 53.1-151(B1)). Bennett sought approval for her new, lenient interpretation, but the approval was rejected by Secretary of Public Safety & Homeland Security Brian Moran. Bennett sought a legislative change to support her interpretation, but the legislature failed to revise the statute. Notwithstanding, Bennett implemented the change anyway. The unauthorized implementation of the lenient policy resulted in parole eligibility for multiple serial rapists previously deemed parole-ineligible.
- Chair Bennett committed 111 violations of the Parole Board policy manual for failing to obey the requirement that parolees be on supervision for 5 years and be recommended by a parole officer first before early discharge can be granted.
- After she became a judge, Chair Bennett committed one violation of the Virginia Canons of Judicial Conduct when she continued to transact the business of the Parole Board after taking the bench.
- Chair Bennett violated eight court orders finding offenders were ineligible for discretionary parole. These violations of the law cannot be criminally prosecuted because of the applicable statute of limitations has lapsed.
- Under Chair Bennett’s direction, VPB released **over 50 violent offenders** in March and April 2020 **whom parole examiners had recommended against releasing** because they were **still** a danger to the community.

- Chair Bennett's actions specifically enabled offenders to re-victimize more than ten innocent Virginians.
  - Example: Bennett's unlawful restoration of David Simpkins' parole eligibility directly enabled Simpkins to commit 15 new violent felonies.
- Former Attorney General Herring's administration made no attempt to publicly or privately correct the Parole Board's widespread noncompliance with the law. Herring took no court action. In the aftermath of the OSIG reports, Herring's office acted as the Parole Board's publicist by helping the Board respond to negative media coverage, but never counseling the Board to correct illegal actions.
- The report also makes 20 specific policy and legislative recommendations to ensure transparency of the Virginia Parole Board's actions to restore confidence and integrity in the criminal justice system. The recommendations include:
  - Enhanced ethics rules for Parole Board members;
  - Stronger victim notification requirements;
  - Increasing the size and public transparency of the Parole Board; and
  - Amending multiple sections of the Virginia Code to better guide the work of the Parole Board.