

## The History of Commutation Board A.K.A. Quorum Board, Full Board

- From prior to 1982 to 2001: The Board's rules required it to recommend commutation if the majority of a three-member panel voted to do so. <sup>i</sup> This was as the state statutes designated the board to do originally
- 2001: The Board *changed its rules* to require the majority vote of a three-member panel, followed by the majority vote of a quorum of the Board, before sending a commutation recommendation to the Governor. <sup>ii</sup>
- 2006: The Board *changed its rules* to require the unanimous vote of a three-member panel, followed by the majority vote of a quorum of the Board, before sending a commutation recommendation to the Governor. <sup>iii</sup>
- 2007: The Board *changed its rules* twice:
  - First to relax the 3-panel voting requirement from unanimity to a majority. (Remember the state statutes require majority and the board had superseded its authority)<sup>iv</sup>
  - The quorum board was eliminated. <sup>v</sup>
- 2007: I read a letter to inmate James Brown from the Wyoming Attorney General's Office stating the Quorum Board would be eliminated.
- 2007 to 2013: a decision by a majority of the three-member panel sends the commutation directly to the Governor. ***The Quorum Board had been eliminated.***
- 2014: The Board of Parole *changed its rules* to 3-Member panel must now once again send a recommendation to the full 7-member Board of Parole (The Quorum Board)<sup>vi</sup>
- 2014: The 7-Member Board is no longer called a Quorum Board, but the full Board or 7-Member Board.

The legislature has laid out a simple blueprint with its 3-man Board in Wyoming Statute 7-13-401 (f) that the Board should comply with.

## For Many Inmates The Quorum Board Is Now an Impenetrable Wall

It is my understanding that at least four inmates have appeared before the Quorum Board between January 2019 and June 2019 and none of them have been able to get a commutation recommendation from the Board to the Governor. All four inmates were recommended by the three-man Board to the Quorum Board for a commutation recommendation. I do not know what happened in the other four prisons, nor do all the inmates in this facility tell me when they go to the Parole Board. These following four are just the ones I am aware of.

The four inmates who were denied are:

James Koester, served 31 years

Richard Reed, served 40 years

Phil Wohl, served 24 Years

Joe Harris, served ?

Report by Mark Farnham  
**Revised February 24, 2022**

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<sup>i</sup> MARK FARNHAM v. WYOMING DEPARTMENT OF CORRECTIONS 338 Fed. Appx. 751; 2009 U.S. App. LEXIS 15853 No. 09-8033 July 17, 2009, Filed

<sup>ii</sup> MARK FARNHAM v. WYOMING DEPARTMENT OF CORRECTIONS 338 Fed. Appx. 751; 2009 U.S. App. L MARK FARNHAM v. WYOMING DEPARTMENT OF CORRECTIONS 338 Fed. Appx. 751; 2009 U.S. App. LEXIS 15853 No. 09-8033 July 17, 2009, Filed EXIS 15853 No. 09-8033 July 17, 2009, Filed

<sup>iii</sup> MARK FARNHAM v. WYOMING DEPARTMENT OF CORRECTIONS 338 Fed. Appx. 751; 2009 U.S. App. LEXIS 15853 No. 09-8033 July 17, 2009, Filed

<sup>iv</sup> MARK FARNHAM v. WYOMING DEPARTMENT OF CORRECTIONS 338 Fed. Appx. 751; 2009 U.S. App. LEXIS 15853 No. 09-8033 July 17, 2009, Filed

<sup>v</sup> MARK FARNHAM v. WYOMING DEPARTMENT OF CORRECTIONS 338 Fed. Appx. 751; 2009 U.S. App. LEXIS 15853 No. 09-8033 July 17, 2009, Filed

<sup>vi</sup> WYOMING BOARD OF PAROLE POLICY AND PROCEDURE MANUAL As Revised Effective: July 1, 2014 Page 30