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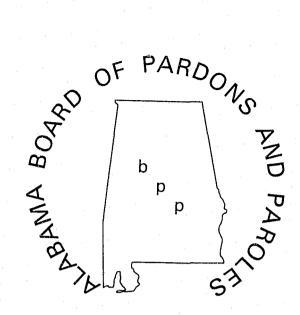
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Gordon Persons Building 50 North Ripley Street Montgomery, Alabama 36130 (205) 242-8700

> Joel W. Barfoot Chairman

John S. Nettles Member

Judith C. O'Connor Member

Elmo T. Graves Director

#### LETTER OF TRANSMITTAL

January 30, 1992

Honorable Guy Hunt Governor of the State of Alabama Montgomery, Alabama

Dear Sir:

In compliance with statutory provisions, we are transmitting herewith the Fifty-second Annual Report covering the fiscal year October 1, 1990 to September 30, 1991.

Copies of the report are being filed in the offices of the Secretary of State, Department of Archives and History, and the Bureau of Publicity and Information.

Respectfully submitted,

STATE BOARD OF PARDONS AND PAROLES

Joel W. Barfoot

John S. Nettles Member of the Board

Judith C. O'Connor Member of the Board



JOEL W. BARFOOT CHAIRMAN

Chairman of the Board, Joel W. Barfoot, serves from the 3rd Congressional District. He is a native of Montgomery County, Alabama. He graduated from Troy State University in 1973 with a Bachelor of Science Degree in Criminal Justice and an Associate of Science Degree in Law Enforcement. Mr. Barfoot has completed training required by the Peace Officers Standards and Training Act. From 1969 to 1979, he served with the Montgomery Police Department obtaining the rank of Lieutenant. In 1980, he won a seat on the Montgomery County Commission and was re-elected in 1987 and served as Chairman of the County Commission. He was appointed to the Board by Governor Guy Hunt, and on August 4, 1987, was sworn in as Chairman. He is a member of the Civitan Club. He has a private real estate interest. He is married to the former Sherry Teal Sims, and they have one son.



JOHN S. NETTLES ASSOCIATE MEMBER

John S. Nettles serves from the 4th Congressional District. He is a native of Darlington, South Carolina. He is an educational product of Kittrell College, North Carolina; Bluefield State College, Bluefield, West Virginia; Morehouse School of Religion, Interdenominational Theological Center, Atlanta, Georgia. Rev. Nettles has pastored Mount Olive Baptist Church in Anniston, Alabama, for the past 18 years. He is the director of Project PAY (Producing Ambitious Youth), the director and founder of Education Par Excellence, the former commissioner of Anniston Housing Authority, trustee of Federated Women's Organization, National vice president and State president of Southern Christian Leadership Conference, a member of NAACP and the author of several publications. He was appointed to the Board on August 2, 1989, by Governor Guy Hunt. He is married to the former Gertrude Kidd and is the father of a daughter and two sons.



JUDITH C. O'CONNOR ASSOCIATE MEMBER

Judith C. O'Connor serves from the 7th Congressional District. She attended A. G. Parrish High School in Selma, graduated from Birmingham Southern College with a BA in Psychology in 1972, and attended Troy State University on the Master's level in Counseling and Human Development. Mrs. O'Connor has been employed with the Board since December 1973 beginning as a Probation and Parole Officer I. She is a Certified Law Enforcement Firearm Instructor and a Certified Basic Pistol Instructor. She served with the Board previously as district supervisor of the Birmingham district. She also has experience as a social worker and in counseling. She was appointed to the Board by Governor Guy Hunt on July 19, 1991. She is married to Robert William O'Connor, Jr., and they have two children. Mrs. O'Connor is a member of the Church of Christ.



WILLIAM C. YOUNG DIRECTOR

William C. Young was appointed Executive Director of the Board of Pardons and Paroles January 1992. He is a native of Pike County, Alabama. He has a Bachelor of Science degree from Troy State University and a Master of Education from the University of Georgia. He began work with the Board as a Probation and Parole Officer in 1959, assigned to Russell, Barbour, and Bullock Counties. He was promoted to Assistant Director of Field Services in 1986 in the Board's Central Office and later promoted to Director of Field Services. He has served as an officer in the Civitan Club, Sertoma, March of Dimes, Heart Fund and Boys Club. He has served as president of the Alabama Council on Crime and Delinquency and of the Southern States Correctional Association. He attends services at the Landmark Church of Christ. He is the father of two children, Billy and Stefanie.

#### CODE OF ETHICS

The Board and its staff subscribes to the following Code of Ethics in the performance of their duties.

#### TO SERVE WITH HUMILITY

TO UPHOLD THE LAW WITH DIGNITY

TO BE OBJECTIVE IN THE PERFORMANCE OF MY DUTIES

TO RESPECT THE INALIENABLE RIGHTS
OF ALL PERSONS

TO HOLD INVIOLATE THOSE CONFIDENCES REPOSED IN ME

TO COOPERATE WITH FELLOW WORKERS AND RELATED AGENCIES

TO BE AWARE OF MY RESPONSIBILITIES TO THE INDIVIDUAL AND TO THE COMMUNITY

TO IMPROVE MY PROFESSIONAL STANDARDS
THROUGH CONTINUOUSLY SEEKING
KNOWLEDGE AND UNDERSTANDING

#### PAROLE AND COMMUNITY PROTECTION

This Board believes that its primary business is community protection. With or without parole, approximately 95 percent of incarcerated offenders will walk the streets again. The real question then is not whether offenders should be released; but rather—

## WHEN SHOULD OFFENDERS BE RELEASED? and, WHAT ARE THE BEST CIRCUMSTANCES FOR THEIR RELEASE?

The Board's philosophy — implemented by its procedures — is that these questions can only be answered intelligently after a careful study of each inmate's —

- —Criminal History
- -Family Background
- -Prison Progress
- -Parole Resources
- And the impact of the crime upon the victim.

When these factors add up to a minimal risk to the community, the Board believes that it is in the community's interest to release an inmate. The Board believes that it is best to release inmates —

- -Before they are prison-hardened
- -While family ties are still intact
- -When they are guaranteed employment
- —While they will have the control and support of a trained parole officer.

Parole is not leniency; it does not end or shorten a sentence.

Parole provides the opportunity for changing the offenders' habits and life patterns — for making him an asset to the community. The Board believes that the surest guarantee of community safety is a reformed life.

The Board recognizes, of course, that with present knowledge and controls, some cannot be changed — that some represent such a threat to the public that they may never be a safe risk on parole. The Board strives to use all information available and to exercise the best judgment possible in identifying these cases and making sure that these offenders remain in prison.

An offender who can be safely paroled is released subject to specific conditions, including restitution to the victim when appropriate. There is regular surveilance of their activities; and, if they violate any of these conditions, they may be promptly returned to prison to continue serving their time. The Board believes, and statistics support the belief, that parole is an effective and economical means of bridging the gap between the regimentation of prison and the freedom of community living. Carefully administered parole protects YOU.



#### HISTORY OF THE DEPARTMENT

Alabama's first parole law was passed in 1897. It authorized the Governor to discharge an inmate and suspend a sentence without granting a pardon. He was authorized to prescribe the terms upon which an inmate so paroled shall have a sentence suspended and to secure the rearrest and reimprisonment of any parolee who failed to observe the conditions of his parole. Prior to this law, the only legal means of releasing a prisoner before the expiration of the sentence was by pardons granted by the Governor.

The Constitution of 1901 gave the Governor the power to grant paroles. It also provided for the establishment of a Board of Pardons composed of the Attorney General, the State Auditor, and the Secretary of State to advise the Governor on parole and elemency matters.

In 1919, an act was passed providing for the imposition of indeterminate sentences upon certain persons convicted of felonies and for the parole of such persons at the expiration of the minimum sentence by the Board of Pardons without the approval of the Governor. This act was repealed in 1939 and now only definite sentences are authorized.

In 1935, the Governor created by executive order the Alabama Parole Bureau to make an independent study of prisoners confined in the prisons of Alabama to recommend to the Governor those worthy of test paroles. The bureau was composed of a chairman, an associate member, and a secretary. Only one parole officer was provided for the investigation and supervision of prisoners.

On July 11, 1939, a constitutional amendment was adopted, providing for the removal of the pardoning and paroling authority from the Governor and placing it in the hands of the legislature. The legislature passed an enabling act in August 1939 providing for the creating of a three-member State Board of Pardons and Paroles with complete and final authority in matters of pardons, paroles, restoration of civil and political rights, and remissions of fines and forfeitures. This act was substantially amended in 1951. (Title 42, Code of Alabama 1940, as amended). The present statutory authority is Title 15, Code of Alabama 1975, as amended. The three original members of the Board were Judge Alex Smith, Chairman; Mrs. Edwina Mitchell, Associate Member; Judge Robert M. Hill, Associate Member. They were appointed on September 1, 1939, for staggered terms of two (2), four (4), and six (6) years. All subsequent terms are for six years. The Board appointed thirteen probation and parole officers on October 1, 1939.

#### PROBATION IN ALABAMA

Adult probation in Alabama began on August 24, 1939, when the Governor approved an enabling act giving the legislature power to authorize adult probation.

Prior to this act, it had been held that the Alabama courts did not have inherent power to suspend sentences. The courts' action in suspending sentences was held to be an encroachment on the executive power to pardon, commute, and reprieve. In 1931, the legislature passed a law giving the judges power to suspend execution of sentences and place offenders on probation. This act was declared unconstitutional in 1935. Had it been constitutional it would have done little more than authorize suspended sentences since, in most cases, there was no provision for investigation and supervision.

Under the present adult probation law, Alabama has a statewide uniform administration of probation. Probation Officers are appointed by the State Board of Pardons and Paroles, subject to the Merit System, and are supervised by the Board. Probation Officers act in a dual capacity in that they serve the courts in probation matters and the Board in parole matters. They are sworn law enforcement officers with arrest powers and must meet the training requirements of the Peace Officers Minimum Standards and Training Act.

#### DUTIES OF THE BOARD

The Board determines which prisoners serving in the jails and prisons of this state shall be paroled. (The Jefferson County Parole Board exercises jurisdiction over jail inmates in that county.) The Board prescribes the conditions of parole and determines whether a parolee who has violated any of these conditions should be revoked or continued on parole.

The Board provides probation services for those courts having probationary powers. Investigative and supervision services provided to these courts are similar in kind and identical in quality to those provided the Board in parole cases.

The Board grants pardons and/or restoration of civil and political rights to those persons who have shown evidence of rehabilitation and who have demonstrated the ability to live as good citizens.

The Board remits fines and bond forfeitures.

The Board develops policies and procedures and maintains the necessary staff to implement the performance of these duties.

In the performance of its duties, the Board is primarily concerned with changing behavior in such a way that the offender will be enabled to conform with the laws and with minimal standards of conduct of his community. To further this goal of providing community protection by improving the client's behavior, the Board strives to upgrade its staff by providing in-service training and other opportunities for learning experiences.

The Board can work more effectively when the public is informed about and interested in the work and accomplishments of the department. Public relations is, therefore, an integral part of the daily job for the Board and its staff.

A weekly public hearing provides an opportunity for anyone who has an interest in a case to appear before the Board without prior appointment.

# BOARD OF PARDONS AND PAROLES PERSONNEL

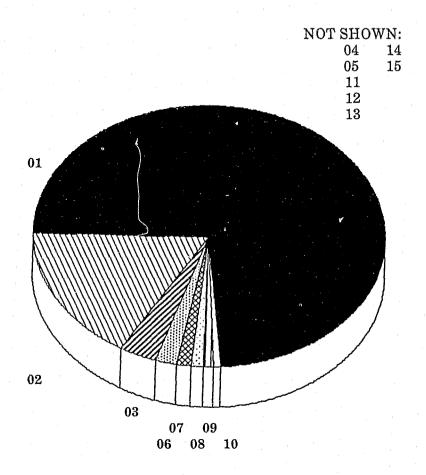
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## COST OF OPERATIONS

ADMINISTRATION OF PARDONS AND PAROLES	
Agency Administration Activity	1,526,704
Financial Services Activity	226,345
Interstate Services Activity	124,646
Field Services Activity	12,127,811
Personnel Services Activity	173,738
TOTAL EXPENDITURES:	14,179,244
IUIAL EXPENDITURES:	14,179,244
BOARD OF PARDONS AND PAROLES SUMMARY:	
Personnel Costs	10,389,334
Employee Benefits	2,367,065
Travel In-State	155,386
Travel Out-of-State	3,663
Repairs and Maintenance	40,974
Rentals and Leases	487,720
Utilities and Communications	269,593
Professional Services	89,993
Supplies, Materials and Operating Expenses	189,506
Transportation Equipment Operations	125,299
Grants and Benefits	172
Capital Outlay	0
Transportation Equipment Purchases	•
	14,189
Other Equipment Purchases	29,850
Miscellaneous	16,500
Encumbrances	115,870
TOTAL EXPENDITURES:	14,295,114
Total Number of Employees:	371.90
SOURCE OF FUNDS:	
State General Fund Appropriation	10,107,426
State General Fund -	
Supplemental Appropriation Act 91-223	472,932
State General Fund - Act 90-487	303,401
Probationers Upkeep Fund	0.007.400
Prior Year Refund	48
Probationers Upkeep Prior Year Receipts	122,200
Deposited 90-91	,0
Grants-McConnell - Clark Foundation	83,450
Sale of equipment and paper	2,321
Encumbrances	115,870
TOTAL FUNDS:	14,295,114
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## ACTUAL EXPENDITURES 1990 - 1991 BOARD OF PARDONS AND PAROLES

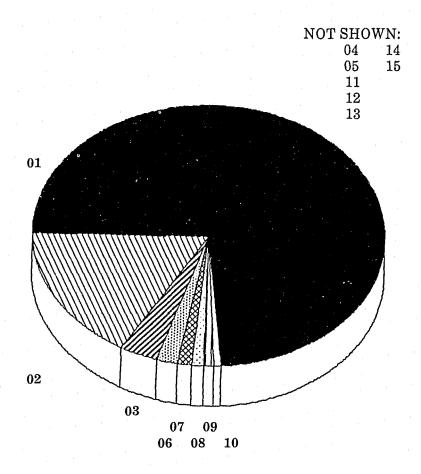
Total Expenditures - \$14,295,114



01 - Personnel Costs \$10,389,334	10-Transportation	
02 - Employee Benefits \$2,367,065	Equipment .	
03-Travel In-State \$155,386	Operations	\$125,299
04-Travel Out-of-State \$3,663	11-Grants & Benefits	\$172
05-Repairs &	12-Capital Outlay	\$0
Maintenance \$40,974	13-Transporation	
06-Rentals & Leases \$487,420	Equipment	
07-Utilities &	Purchases	\$14,189
Communications \$269,593	14-Other Equipment	
08-Professional Services \$89,993	Purchases	\$29,850
09 - Supplies, Materials &	15-Miscellaneous	\$16,500
Operating Expenses \$189,506		, ,

## ACTUAL EXPENDITURES 1990 - 1991 BOARD OF PARDONS AND PAROLES

Total Expenditures - \$14,295,114



01-Personnel Costs \$3	10,389,334	10-Transportation	
02-Employee Benefits	\$2,367,065	Equipment	
03-Travel In-State	\$155,386	Operations	\$125,299
04-Travel Out-of-State	\$3,663	11-Grants & Benefits	\$172
05-Repairs &		12-Capital Outlay	\$0
Maintenance	\$40,974	13-Transporation	
06-Rentals & Leases	\$487,420	Equipment	
07-Utilities &		Purchases	\$14,189
Communications	\$269,593	14-Other Equipment	
08-Professional Services	\$89,993	Purchases	\$29,850
09-Supplies, Materials &		15-Miscellaneous	\$16,500
Operating Expenses	\$189,506		

#### SELECTING AND SCHEDULING CASES FOR PAROLE

In order to make an informed decision, the Board causes a file to be prepared on all prisoners shortly after they are received in the correctional system. When completed, the file is reviewed and an initial parole consideration date scheduled. Those prisoners who committed crimes prior to May 19, 1980, are scheduled for initial consideration upon completion of one-third of their term or ten years (whichever is less). By law, the time may be reduced by application of Incentive Good Time credit. Most other prisoners (except those legally barred from parole and those whose sentence includes a mandatory fixed term prior to parole) are scheduled under consideration guidelines.

Under the guidelines, prisoners serving sentences of ten (10) years or more and who have a high potential for violence will not be considered until they have served one-half of their term or fifteen years, whichever is less. Career criminals will be considered after serving from one-third to one-half of their term.

Other guideline cases will be scheduled for initial parole consideration on or before service of one-third of their total term. Factors used in determining the consideration date are: past criminal record, pattern and severity of the present offense, community attitude toward the offender.

Each case scheduled for progress review is placed on an automatic calendar. The progress review includes a study of the prisoner's conduct and work record while in prison, his general progress, attitude, and prison official's reports and recommendations.

#### Parole is granted

- —If the inmate's prison adjustment is good
- —If there are no valid protests to parole
- —If the inmate's release appears to be compatible with society's welfare
- —If the Board believes the inmate has served a sufficient portion of his sentence
- —If a satisfactory parole plan is available

#### If Parole is denied

- —The inmate may be required to serve the remainder of his sentence if less than 3 years
- —He may be given a new progress review date within a minimum of 6 months and a maximum of 3 years

#### INTERSTATE CASES

The department is responsible for all Alabama parole and probation cases being transferred to other states for supervision and for providing investigation and supervision when a parolee or probationer from another state requests a transfer to Alabama. In interstate matters the department is guided by the provisions of the Interstate Compact. The compact is an agreement between all fifty states, Puerto Rico, and the Virgin Islands to serve as agents for each other in parole and probation matters. For instance, if an inmate in Alabama wants to live in Georgia after his release, the Georgia authorities will act as the Alabama agents investigating inmate's home and work plan, providing parole supervision, and informing us of the parolee's progress and conduct.

The Compact also allows for the return of serious parole violators without costly and time-consuming extradition proceedings. In all cases of out-of-state parole, the paroling state retains control of the parolee; but the parolee is also bound by the rules and regulations of the state to which he/she has been paroled.

#### VICTIM RIGHTS

#### Right to Notification

During recent years the public has expressed its concerns that offender rights should be balanced by Victim Rights. This has been demonstrated by passage of a number of laws on behalf of victims which impact upon this Department. Victims of violent crimes and families of children who have been abused are notified prior to an inmate's being considered for parole by the Board. The Victim's right to be present at the Parole Hearing and to express their concerns in person and in writing to the Board is provided by law.

#### Victim Information

In September 1985, a Victim Impact category was added to all reports of investigation completed by the Department's Probation and Parole officers. This was done to ensure that the courts and the Parole Board understood the impact of the crime upon the victim when making decisions regarding probation and parole of offenders.

A victim impact report form is sent to the victim by mail. If the victim wishes, he/she may return the completed report to the Probation and Parole office to be included with the report of investigation. That report provides the decision-makers with the victim's personal input.

#### Restitution

When the courts order restitution upon sentencing, this Department, through its probation officers, enforce that order while the offender is on probation. The Parole Board further requires court-ordered restitution to be a part of the conditions of any release on parole.

#### PAROLE STATISTICS\*

	October 1, 1990 to September 30, 1991	September 15, 1939 to September 30, 1991
Considered	5,363	141,347
Denied	3,054	82,359
**Paroled	1,973	58,452
	October 1, 1990 to	
	September 30, 1991	
Declared Delinguent	1.483	

A two-year follow-up study of cases paroled between October 1, 1987, and September 30, 1989, revealed the following recidivism rates:

29.9% revoked .8% revoked for crimes of violence

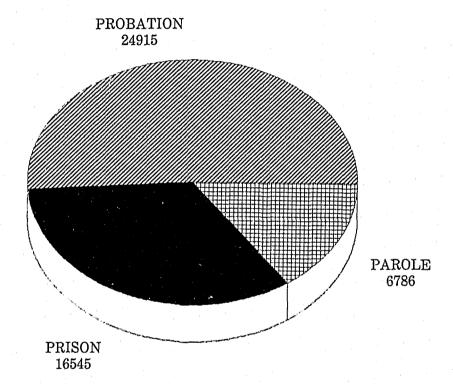
857

Revoked

<sup>\*</sup>Includes inmates serving county jail sentences.

<sup>\*\*</sup>Includes conditional transfers to other jurisdictions.

#### ALABAMA FELONY ADULT OFFENDER POPULATION PROBATION — PAROLE — PRISON



\*INCLUDES ALABAMA CASES TRANSFERRED TO OTHER STATES

SEPTEMBER 1991 TOTALS

## STATE INMATES PAROLED AND REVOKED BY COUNTIES

COUNTIES	PAROLED	REVOKED
Autauga	10	5
Baldwin	28	5
Barbour	11	4
Bibb	8	2
Blount	15	2
Bullock	8	2
Butler	4	5
Calhoun	62	23
Chambers	19	5
Cherokee	5	0
Chilton	13	2
Choctaw	4	1
Clarke	6	8
Clay	3	0
Cleburne	8	0
Coffee	17	8
Colbert	14	3
Conecuh	11	0
Coosa	<b>. 4</b> '	1
Covington	21	3
Crenshaw	6	4
Cullman	25	5
Dale	19	4
Dallas	23	10
DeKalb	14	6
Elmore	16	5
Escambia	15	3
Etowah	58	35
Fayette	6	1
Franklin	8	6
Geneva	8	5
Greene	3	1
Hale	4	2
Henry	6	1
Houston	105	30
Jackson	15	7
Jefferson	322	205
Lamar	7	4
Lauderdale	33	18
Lawrence	13	7
Lee	56	16
Limestone	26	3

## STATE INMATES PAROLED AND REVOKED BY COUNTIES

COUNTIES	PAROLED	REVOKED
Lowndes	5	1
Macon	8	3
Madison	132	56
Marengo	6	7
Marion	12	4
Marshall	13	15
Mobile	192	105
Monroe	15	2
Montgomery	176	69
Morgan	69	15
Perry	2	0
Pickens	6	1
Pike	17	7
Randolph	9	5
Russell	43	13
Shelby	11	7
St. Clair	12	8
Sumter	2	1
Talladega	63	25
Tallapoosa	13	8
Tuscaloosa	70	39
Walker	24	6
Washington	. 4	1
Wilcox	1	2
Winston	9	0
TOTAL	1,973	857

## PROBATION

Probation Granted		7,583
Probation Revoked		1,268
Total Placed on Probation During Fifty-two-Year Period Of Administration		165,553
Total Revoked During Fifty-two-Year Period of Administration		23,478
During the fifty-two-year period of adm	inistration, 14% o	f the probations

## PROBATIONS GRANTED AND REVOKED BY COUNTIES

COUNTIES GRANTED	REVOKED
Autauga 59	9
Baldwin 182	21
Barbour 71	9
Bibb 48	6
Blount 47	7
Bullock 12	2
Butler 26	10
Calhoun 300	63
Chambers 91	22
Cherokee 139	13
Chilton 44	6
Choctaw 86	6
Clarke 96	20
Clay 12	3
Cleburne 25	6
Coffee 81	19
Colbert 62	20
Conecuh 38	11
Coosa 7	7
Covington 58	13
Crenshaw 11	5
Cullman 61	9
Dale 106	6
Dallas 184	26
DeKalb 115	13
Elmore 64	11
Escambia 139	25
Etowah 278	71
Fayette 33	3
Franklin 47	12
Geneva 47	5
Greene 13	2
Hale 18	2
Henry 13	6
Houston 290	57
Jackson 66	11
Jefferson 1,827	231
Lamar 26	9
Lauderdale 97	20
Lawrence 88	5
Lee 207	36
Limestone 79	

## PROBATIONS GRANTED AND REVOKED BY COUNTIES

COUNTIES	GRANTED	REVOKED
Lowndes	39	5
Macon	42	11
Madison	460	66
Marengo	52	1
Marion	54	13
Marshall	182	12
Mobile	692	113
Monroe	42	9
Montgomery	737	104
Morgan	248	26
Perry	35	2
Pickens	31	3
Pike	70	19
Randolph	44	10
Russell	104	24
Shelby	93	5
St. Clair	107	18
Sumter	46	2
Talladega	128	49
Tallapoosa	87	22
Tuscaloosa	541	43
Walker	159	38
Washington	36	2
Wilcox	4	2
Winston	57	23
TOTAL	9,383	1,477

#### PARDONS AND RESTORATIONS

Pardons with Restoration of Civil	
and Political Rights Granted	356
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#### PROBATION AND PAROLE CLIENTS AS OF:

	September 30, 1991	September 30, 1980
Parole Supervision Probation Supervision	6,786 24,915	2,547 10,765
GRAND TOTAL	31,701*	13,312

#### CASES SUPERVISED DURING THE YEAR

Supervised for other states	3,081
Parole Supervision	8,101
Probation Supervision	30,524
GRAND TOTAL	41,706

#### INVESTIGATIONS COMPLETED DURING THE YEAR

	OUT OF STATE	ALABAMA
Probation	1,479	12,427
Parole	748	10,100
Miscellaneous	2,506	9,267
Total	4,733	31,794
GRAND TOTAL	36.55	27

<sup>\*</sup>Includes Alabama Cases transferred to other states.

### INTERSTATE RELATIONS

Parolees and Probationers received for supervision from other states	1,259
Alabama probationers and parolees accepted	
for supervision by other states	748

#### DRUG SCREENS

25.150 drug tests were conducted by and for this agency for FY 90-91.

#### ELECTRONIC SURVEILLANCE

#### STATISTICS FOR FISCAL YEAR OCTOBER 1990 THROUGH SEPTEMBER 1991

Number of Probationers Placed on Electronic Surveillance During FY 90-91:

Birmingham Mobile Montgomery	$\begin{array}{c} 11 \\ 22 \\ \underline{} 9 \end{array}$
Total Number of Probationers:	42
Number of Parolees Placed on Electro	nic Surveillance During FY 90-91:
Birmingham Mobile Montgomery	33 39 <u>6</u>
Total Number of Parolees:	78

Total Number of Probationers and Parolees Placed on Electronic Surveillance During FY 90-91: 120

The Electronic Surveillance program was started in 88-89 fiscal year in the above-named cities.

## OFFENDERS UNDER SUPERVISION OF THE ALABAMA BOARD OF PARDONS AND PAROLES

