

## **Decision-Making in Parole Boards: A Critical Perspective**

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Despite procedural and structural changes of the parole boards, the rate of prisoners released on parole has remained low. In this article we offer a behavioral economics explanation for this phenomenon. In light of the recommendations of the Dorner Committee that were adopted, and due to recent case law dealing with increasing the living space assigned to prisoners (HCJ 1892/14 **Association for Civil Rights in Israel v. Minister of Defense** (published in Nevo, 13.6.2017)), the importance of examining early release, including the proper considerations

whenever it violates its terms of service, and actions on a more formal level, upon which law enforcement authorities seek to execute judicial warrants or legal provisions that forbid certain online publications.

This article introduces the concept of alternative enforcement for content-related offences in cyberspace, and then discusses the justifications, on the one hand, and the criticism, on the other hand, of the alternative enforcement approach. The article offers responses to the arguments against the alternative approach, at both the theoretical level and the practical level, alongside mitigating mechanisms for ensuring transparency, reducing the concerns about excessive censorship of online speech by law enforcement authorities, and ensuring the proper consideration of all the relevant actor's rights: the publisher of the content, the online platform in which the content is stored, and the internet users who may be affected by the actions taken to remove or to minimize the exposure to the content.