



BOARD OF PARDONS AND PAROLE

EXECUTIVE OFFICES AND CRIMINAL JUSTICE APPROPRIATIONS SUBCOMMITTEE
STAFF: GARY SYPHUS

BUDGET BRIEF

SUMMARY

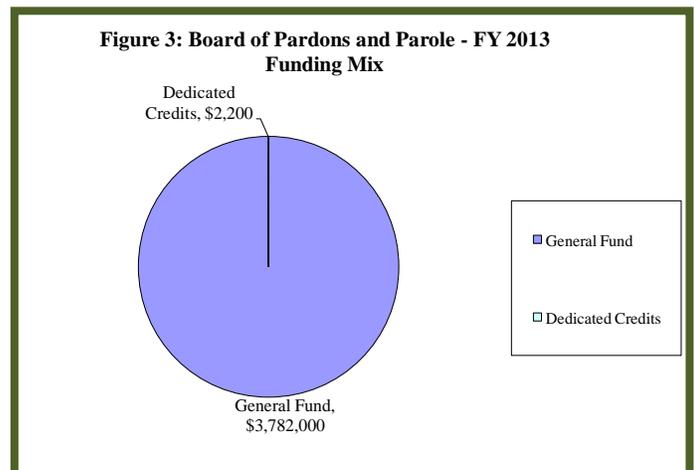
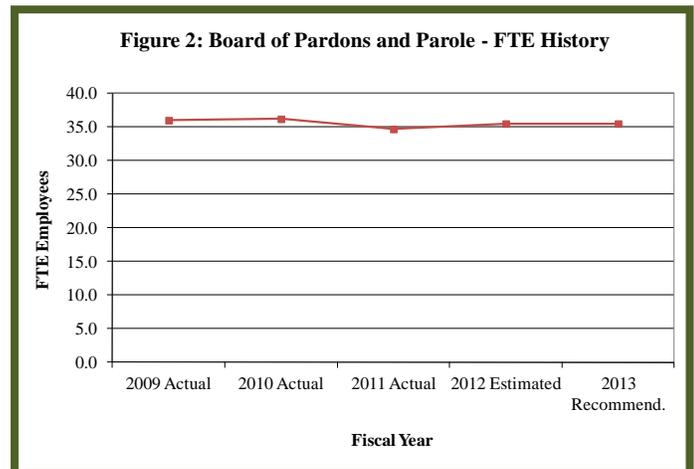
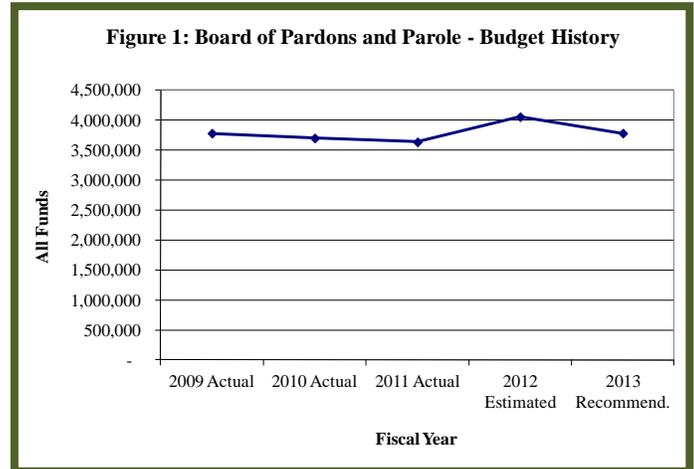
The Board of Pardons and Parole (BPP) is the Constitutionally-empowered release authority for inmates in the State of Utah. As such, the Board reviews inmate performance and determines when and under what conditions an inmate may be released after serving the minimum sentence required by law.

The Board also reviews violations of release conditions and decides whether an offender should be returned to prison. The Board is an independent organization from Corrections and the Courts. The BPP has full parole, pardon, and commutation authority over all offenders in the custody of the UDC.

Legislative Action

The Analyst recommends the Legislature:

1. Adopt the FY 2013 recommended budget of \$3,784,200 shown in the budget detail table on page 4.
2. Approve the intent language on page 2.
3. Approve the Fee schedule on the document entitled "Executive Offices and Criminal Justice: Fees".



Issues and Recommendations

Releasing Inmates

It is the responsibility of the Board of Pardons to release offenders from prison while trying to balance community safety. Five Board Members and 10 hearing officers are responsible for making approximately 12,000 decisions relating to the release of inmates annually.

The Board is the sole organization authorized to release offenders from prison.

The Board is responsible for all decisions regarding inmate release selection. Such decisions were made during budget reductions of the 2002 General Session when 400 inmates were released.

Intent Language

The Analyst recommends the following intent language to make the Board of Pardons line item's FY 2012 unexpended appropriations nonlapsing at the end of FY 2012.

Under Section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Board of Pardons and Parole in Item 18 of Chapter 2 Laws of Utah 2012 not lapse at the close of Fiscal Year 2012.

Fees

Please refer to the issue brief entitled "Executive Offices and Criminal Justice: Fees" which contains all fees for the Board of Pardons and Parole.

Accountability

The following shows both the output and outcome performance data for the Board of Pardons. Total decisions for the Board of Pardons have remained fairly steady while the total prisoner population has increased over the same period.

Decisions and Hearings of the Board of Pardons and Parole

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Original Hearings / Re-Hearings	1,628	1,958	2,752	2,644	3,249	3,059	2,793	2,875	2,875	2,917
Parole Violation Hearings	1,463	1,741	1,013	1,240	1,280	1,630	1,470	1,449	1,364	1,000
Rescission Hearings	196	238	128	131	112	139	161	172	126	109
Evidentiary Restitution Hearings	18	15	12	3	5	12	14	13	15	13
Pardon Hearings	n/a	n/a	n/a	1	2	2	1	3	19	10
Death Commutation Hearings	0	0	0	0	0	0	0	0	1	0
Total Hearings	3,305	3,952	3,905	4,019	4,648	4,842	4,439	4,512	4,400	4,049
Special Attention Decisions	3,895	4,710	4,621	4,531	4,705	4,464	4,964	4,929	5,177	5,088
Parole Termination Decisions	844	874	890	863	972	690	877	877	883	640
Warrants Issued	1,662	1,503	1,531	1,674	1,820	1,694	1,619	1,589	1,542	1,236
Warrants Recalled	149	78	169	157	199	98	85	77	89	75
Administrative Reviews	19	22	74	24	32	43	48	74	51	61
Decisions and Hrgs. Combined Total	9,874	11,139	11,190	11,268	12,376	11,831	12,032	12,058	12,142	11,149

Metric	Trend	Target	2011 Average	Measure	Definition
Timeliness of All Hearing Results	▲	95%	100%	Hearing	Percentage of hearings processed from conducting hearing to entry of result within 30 days or less.
Parole Revocation Timeliness	▲	85%	96%	Case	Percentage of cases addressed within the 30 day target time frame for a parole violator to go from in-state custody to first action by the Board addressing the parole violation.
Response Time for Correspondence	▲	5	3.59	Day	Average number of days to respond to correspondence from date of receipt to sending a response.
Victim Notification	▲	80%	85%	Person	Percentage of contact made with identified victims pursuant to: UCA 77-27-9.5(3)(a)
Conduct Hearings According to Rule (Less Parole Violations)	▲	90%	98%	Case	Average of total hearings conducted pursuant to timeline defined by UAC R671-201
Non-hearing Routings Timeliness	▲	100%	99%	Case	Percentage of non-hearing cases completed within 15 days - measured from receipt to entry of result.

BOARD OF PARDONS AND PAROLE

BUDGET DETAIL

The Board of Pardons and Parole is funded nearly 100% from the General Fund. The following table shows the budget history for the Board of Pardons.

Board of Pardons and Parole						
	FY 2011	FY 2012		FY 2012		FY 2013*
Sources of Finance	Actual	Appropriated	Changes	Revised	Changes	Recommended
General Fund	3,829,900	3,782,000	0	3,782,000	0	3,782,000
General Fund, One-time	(500)	(2,000)	0	(2,000)	2,000	0
Dedicated Credits Revenue	900	2,200	0	2,200	0	2,200
Beginning Nonlapsing	83,800	0	275,900	275,900	(275,900)	0
Closing Nonlapsing	(275,900)	0	0	0	0	0
Total	\$3,638,200	\$3,782,200	\$275,900	\$4,058,100	(\$273,900)	\$3,784,200
Programs						
Board of Pardons and Parole	3,638,200	3,782,200	275,900	4,058,100	(273,900)	3,784,200
Total	\$3,638,200	\$3,782,200	\$275,900	\$4,058,100	(\$273,900)	\$3,784,200
Categories of Expenditure						
Personnel Services	3,003,900	3,083,900	(5,600)	3,078,300	0	3,078,300
In-state Travel	22,200	24,100	(100)	24,000	0	24,000
Out-of-state Travel	10,600	6,000	0	6,000	0	6,000
Current Expense	488,000	547,200	5,700	552,900	2,000	554,900
DP Current Expense	113,500	121,000	0	121,000	0	121,000
Other Charges/Pass Thru	0	0	275,900	275,900	(275,900)	0
Total	\$3,638,200	\$3,782,200	\$275,900	\$4,058,100	(\$273,900)	\$3,784,200
Other Data						
Budgeted FTE	34.7	36.2	(0.7)	35.5	0.0	35.5
Actual FTE	36	0	0	0	0	0
Vehicles	6	6	0	6	0	6

*Does not include amounts in excess of subcommittee's state fund allocation that may be recommended by the Fiscal Analyst.