

# Department of Planning and Budget

## 2003 Fiscal Impact Statement

**1. Bill Number:** HB1924

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** Almand

**3. Committee:** House Court of Justice

**4. Title:** Notice of release on parole

**5. Summary/Purpose:**

There are two types of parole for persons in prison. In the case of discretionary parole, the Parole Board makes a decision to release an offender, subject to certain conditions, prior to the completion of his sentence. Under mandatory parole, an offender must be released six months prior to final release date, which takes into account any sentence credit earned by him as provided by law. In the latter instance, although the Parole Board has no discretion on releasing the offender, it may impose conditions on his release.

Current law contains several provisions dealing with the notification of the public when offenders are released from prison, some of them duplicative. Prior to any release or discharge of a prisoner, the Department of Corrections must notify by first class mail the sheriff, chief of police, and attorney for the Commonwealth of (i) the jurisdiction in which the offense occurred, (ii) the jurisdiction in which the offender resided prior to conviction, and (iii) if different from (i) and (ii), the jurisdiction in which the offender intends to reside upon release. (§53.1 -160). If a victim of an offense has requested prior notification of the release of the offender from prison, the department must do so. (§19.1 -11.01) Finally, the Parole Board is required to notify, by certified mail at least 21 days, prior to the release on parole any offenders sentenced for more than ten years, the Commonwealth's attorney in the jurisdiction in which the offender was sentenced. (§53.1 -136)

The proposed bill would eliminate some of the duplicative notifications. Under the provisions of the bill, the Parole Board would have to notify the appropriate Commonwealth's attorney only upon the release of persons on discretionary parole, over which the Board has control, rather than in all cases of parole, some of which are not under the control of the Board. The bill would not affect the notification that the Department of Corrections has to send for all releases.

**6. Fiscal Impact:** See Item 8.

**7. Budget amendment necessary:** None.

**8. Fiscal implications:**

Parole Board staff estimate that approximately 2,500 offenders are released annually on mandatory parole. If the proposed bill were enacted, the Board would not have to send a notification of the release of each of these offenders to Commonwealth's attorneys by certified mail, for a savings of about \$5 per mailing.

**9. Specific agency or political subdivisions affected:** Parole Board, Commonwealth's attorneys

**10. Technical amendment necessary:** None.

**11. Other comments:** None.

**Date:** 01/23/03/rwh

**Document:** G:\LEGIS\Fis-03\Hb1924.Doc Dick Hall - Sizemore

cc: Secretary of Public Safety