

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: HB 444

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Carroll Foy

3. Committee: Militia, Police and Public Safety

4. Title: Parole interviews

5. Summary:

For each offender eligible for parole, the Parole Board is required by law to review his/her case at least annually, with the exception that it may schedule an inmate's review for three years thereafter if there are at least ten years or more or life imprisonment remaining on his/her sentence. The proposed legislation would require that at least two members of the Parole Board personally interview an inmate eligible for parole who has served at least 20 years of his/her sentence and has no record of violations of any written prison rules or regulations within the preceding five years.

6. Budget Amendment Necessary: Yes. Item 423.

7. Fiscal Impact Estimates: Preliminary. See Item 8.

8. Fiscal Implications:

By law, the Parole Board consists of five members appointed by the Governor. No more than three of those positions may be full-time, one of which is the chairman, who functions also as the agency director. Currently, there are three full-time members and two part-time members.

The Board has the following statutory responsibilities:

- Review inmates eligible for parole—2,387 are now eligible and there are another 1,043 who will become eligible in the future.
- Review inmates eligible for geriatric release—an additional 1,352 cases, and this group is expected to grow.
- Meet with victims and their families—460 meetings in 2017.
- Conduct parole revocation hearings—268 cases in 2017.
- Make recommendations on petitions for pardons.

Currently, interviews of eligible inmates are carried out by staff members of the Board, parole examiners, who summarize their meetings and make recommendations to the Board.

The members review these recommendations and then vote on each case. Individual Board members may choose to interview an offender personally in order to get a better understanding of his/her case.

According to the Department of Corrections, there are 1,163 offenders eligible for parole who meet the criteria set out in the proposed legislation that would require two members of the Parole Board to personally interview them annually. Based on information provided by the Parole Board, it is estimated that it would take an average of three hours for two Board members to review the history of each eligible offender, to participate in the interview, and to enter the interview information into the offender information system for full consideration by the entire Board. To implement the requirement of the legislation, it estimated that 3,408 hours of Board time would be needed, which would be the equivalent of 1.6 full-time positions. Allowing for vacation time, holidays, and travel time, it is projected that the Parole Board would need two additional full-time members to meet the requirements of the legislation. The estimated annual cost of these two additional positions would be \$316,702.

9. Specific Agency or Political Subdivisions Affected: Parole Board

10. Technical Amendment Necessary:

In order to enable the Governor to appoint five full-time members to the Parole Board in order to carry out the requirements of the proposed legislation, §§ 53.1-134 and 53.1-135, Code of Virginia, would also need to be amended to increase the size of the Board and to number of full-time members.

11. Other Comments: None.