

Department of Planning and Budget 2012 Fiscal Impact Statement

1. Bill Number: HB 1064

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

2. Patron: Sherwood

3. Committee: Militia, Police, and Public Safety

4. Title: Geriatric release

5. Summary:

Under current law, inmates, other than those convicted of murder and serving a life sentence or awaiting execution, may petition the Parole Board for conditional release if (i) they are 65 years old or older and have served at least five years of their sentence or (ii) they are 60 years old or older and have served at least ten years of their sentence.

The proposed language provides that inmates meeting either of those criteria are eligible for consideration by the Parole Board for conditional release without having to petition the board.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications:

The proposed bill would increase the workload of the Parole Board. If the board adopted procedures under which it would automatically consider inmates who met the criteria, all inmates eligible for conditional release now under the current law would be considered and not just those who petition. Based on the confined population on June 30, 2010, it is projected there will be 1,174 inmates in FY 2013 eligible for geriatric release. Of that number, 651 would be eligible for release under regular parole provisions and will be considered by the board. That would leave 523 inmates eligible for consideration for geriatric release who would not otherwise be eligible for release. It is assumed that some of those inmates would have petitioned the board for consideration under the current law. Therefore, the net increase in the board's workload due to the increase in considerations for geriatric release would amount to fewer than 500 inmates.

It is felt that the Parole Board can handle this increase in its workload with its current resources. However, the number of inmates eligible for geriatric release is projected to

increase in future years, as well as the number of inmates eligible for regular parole consideration. To enable the board to have the time to give more than perfunctory consideration to those inmates eligible for parole or geriatric release, it may be necessary in the future to increase the number of full-time Parole Board members (currently three of the five members are part-time) or the number of parole examiners, who conduct most of the interviews and investigations.

9. Specific Agency or Political Subdivisions Affected: Parole Board

10. Technical Amendment Necessary: None.

11. Other Comments: Identical to SB 290.

Date: 1/25/2012

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