

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: SB110

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

2. Patron: Morrissey

3. Committee: Judiciary

4. Title: Juvenile offenders; parole eligibility.

5. Summary: Under current law, any person who has active sentences that total more than 20 years for a single felony offense or multiple felony offenses committed while that person was a juvenile and who has served at least 20 years of the sentences is eligible for parole. Under the provisions of this bill, such persons who have served the lesser of at least 20 years of the sentences or 30 percent of the term of imprisonment imposed for the sentences would be eligible for parole.

6. Budget Amendment Necessary: Yes, Items 61 and 404.

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

8. Fiscal Implications: According to data provided by the Department of Corrections (DOC), as of December 31, 2021, there were 122 offenders who have served the lesser of at least 20 years of the sentences or 30 percent of the term of imprisonment imposed, making them eligible for parole under the provisions of this bill. An estimated 17 offenders who meet these criteria would become eligible in calendar year 2022, and an estimated 47 offenders who meet these criteria would become eligible between calendar years 2023 and 2025. Savings may be realized as prisoners are granted parole and released from DOC facilities but this would ultimately depend on the number of people who are granted parole and the rate at which they are released. Any subsequent parole violators would be held in local jails, for which the state provides funding. However, based on the relatively low number of potential prisoners affected, any fiscal impact associated with this aspect of the bill is expected to be small.

According to DOC, additional changes to the Virginia Corrections Information System (VACORIS), which DOC uses to track offender data including parole eligibility status will be necessary. The modification would automate the process rather than require manual review of parole eligibility. The DOC reports that the changes required by this bill are complex and that they directly affect other juvenile parole eligibility changes currently scheduled for CORIS. As a result, DOC estimates the one-time cost to make the changes at \$800,000. DOC also reports that it could take up to 24 months to make the changes required by this bill.

According to the Virginia Parole Board (VPB), this bill is not expected to have a material impact on the agency. According to the Office of Attorney General (OAG), each change in parole statutes increases the number of lawsuits filed by inmates. The OAG estimates that one additional attorney, at a cost of \$138,598 per year (includes salary and benefits) would be needed in order to address the workload issues created by this bill.

9. Specific Agency or Political Subdivisions Affected: Virginia Parole Board, Department of Corrections, Office of Attorney General

10. Technical Amendment Necessary: No

11. Other Comments: None