

## **Department of Planning and Budget**

### **2023 Fiscal Impact Statement**

**1. Bill Number:** HB2169 S1

**House of Origin**    ☐ Introduced        ☐ Substitute        ☐ Engrossed

**Second House**        ☐ In Committee    ☒ Substitute        ☐ Enrolled

**2. Patron:**        Williams

**3. Committee:** Rehabilitation and Social Services

**4. Title:**        Parole Board; decision requirements; annual reports.

**5. Summary:** The substitute bill makes the following changes that affect the Parole Board (the Board):

- Removes an exemption for certain records of the Board from the mandatory disclosure provisions of the Virginia Freedom of Information Act.
- Requires the Board to adopt rules regarding parole eligibility that require a public safety and scientific risk assessment and consideration of the prisoner's demonstrated rehabilitation, economic and educational development, commitment to prosocial behavior, and community and family support.
- Requires the Board to publish the statement of actions taken by the Board by the fifteenth day of each month and requires that the statement include individualized reasons for the granting or denial of parole and the vote of each member and sets out requirements for an annual report of actions taken by the Board on the parole of prisoners during the prior year.
- Requires the Board to provide to a prisoner who is denied parole steps the prisoner may take to improve his likelihood of being granted parole at the next hearing and requires the Board to consider whether the prisoner has taken such steps at the next hearing.
- Convene a public meeting, either in person or via video conference, when conducting the final deliberation and vote regarding whether the Board will grant parole to a prisoner. The prisoner being considered for parole, or his attorney must be permitted to attend such a meeting either, in the Board's discretion, in person or via video conference. It also provides that the victim attend and participate in such a meeting either, in the Board's discretion, in person or via video or phone conference or to provide written or recorded testimony.

- Sets out requirements for information that must be shared with prisoners or their attorneys as a result of investigations conducted prior to release.

An enactment clause delays the effective date of this bill until July 1, 2024.

**6. Budget Amendment Necessary:** No

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

**8. Fiscal Implications:** The Board reports that the changes the bill makes to monthly reporting responsibilities would require programming modifications to CORIS, estimated at \$108,000. It is expected that this one-time cost could be covered by the Department of Corrections using the agency's existing resources. There may also be costs associated with implementing a public safety and scientific risk assessment to inform parole decisions. However, it is not clear which assessment tool would be most appropriate; therefore, costs are not known at this time.

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

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None