

# Budget Brief – Board of Pardons and Parole

MHA

EOCJ-BPP-01

## SUMMARY

The Board of Pardons and Parole (BPP) is the Constitutionally-empowered release authority for inmates in the State of Utah. As such, the Board reviews inmate performance and determines when and under what conditions an inmate may be released after serving the minimum sentence required by law. The Board also reviews violations of release conditions and decides whether an offender should be sent back to prison. The Board is an independent organization from Corrections and the Courts. The BPP has full parole, pardon, and commutation authority over all offenders in the jurisdictional custody of the UDC. The BPP also makes decisions regarding restitution, and may remit fines subject to legal guidelines.

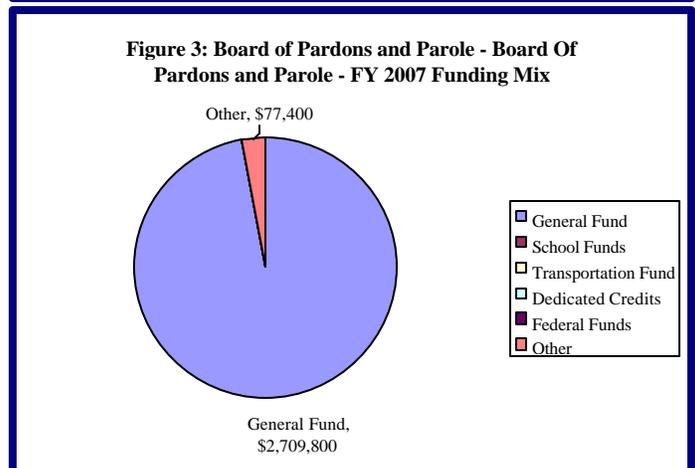
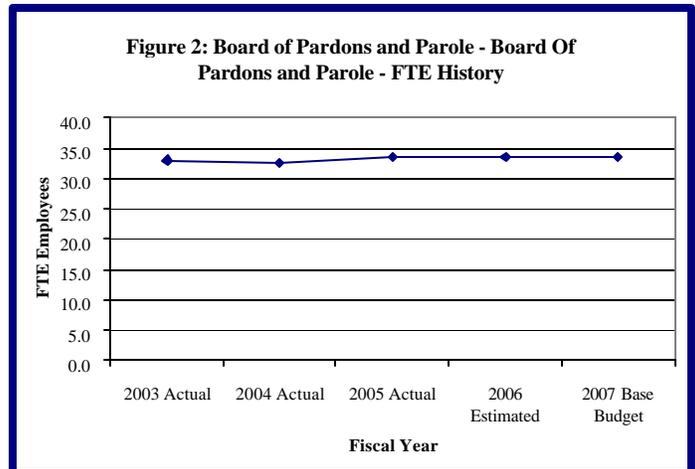
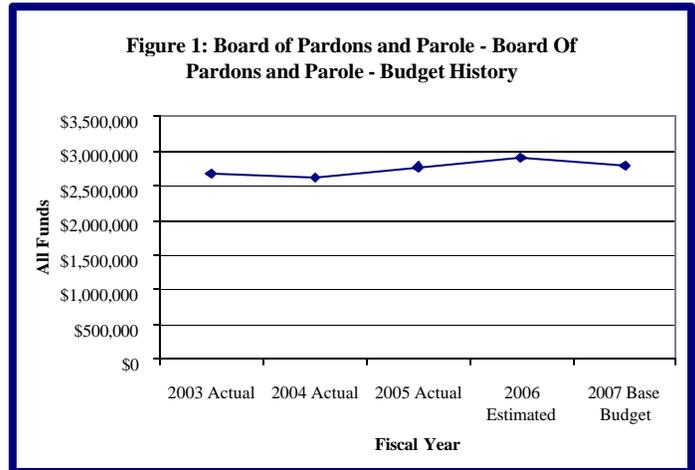
## ISSUES AND RECOMMENDATIONS

The Board of Pardons and Parole is a small office that plays a large role in Correctional operations and capacity control. Five BPP Board Members and 10 hearing officers are responsible for making over 11,000 decisions annually. Since 1994, Board decisions and caseload have increased 75 percent. The BPP faces tremendous pressure to release offenders from prison because of the growing inmate population. Currently, the State prison system is approaching maximum capacity. The Board is the only organization authorized to release offenders from prison.

The Board of Pardons and Parole has requested an additional \$198,100 in General Fund to hire two new hearing officers and an office specialist to handle increasing caseloads. Anytime the Courts hire a new judge and the Department of Corrections increases inmate capacity, BPP caseloads increase.

## ACCOUNTABILITY

The Board of Pardons and Parole focuses on rendering decisions regarding offender length of incarceration, parole supervision and termination of sentence. The BPP must factor their decisions with the best interests of public safety. Hearings must be held in a timely manner especially since prison populations are steadily increasing. The primary performance measures focuses on the hearings process rather than public safety because many outside factors regarding public safety are outside of the control of the Board.



**Workload Data**

Each BPP decision requires at least three of five board members to agree. Decision output depends on the number of persons incarcerated and the number of persons qualified to be released. The only factors the BPP can control are: 1) hearings are fair, and 2) hearings are conducted in a timely manner. If statutory time frames are not met, the Board can be sued. The Board of Pardons has never been sued for failing to make timely decisions. Additional BPP performance tables are listed in the Compendium of Budgetary Information (COBI).

**BUDGET DETAIL**

The Department has requested \$198,100 in additional General Fund to hire two new hearing officers and an additional office specialist. An upcoming Issue Brief will discuss the Board's building block request.

**Recommendation**

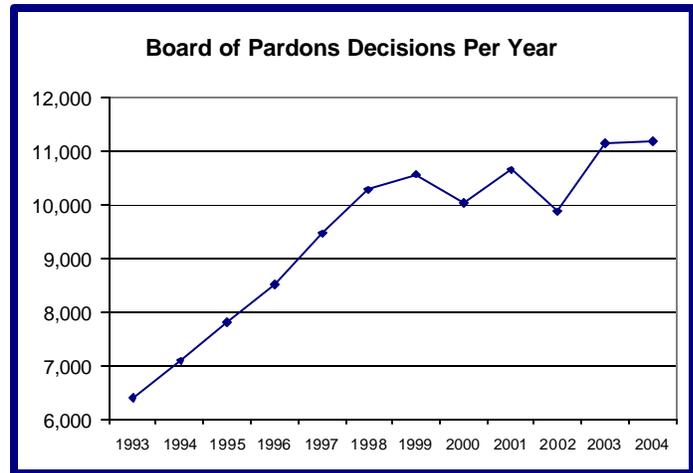
The Analyst recommends a base budget for the Board of Pardons and Parole of \$2,789,400 in General Fund.

**Intent Language**

The Analyst recommends the continuation of the following Legislative intent language: *It is the intent of the Legislature that the funds for Board of Pardons and Parole line item shall not lapse.*

**LEGISLATIVE ACTION**

1. The Analyst recommends a base budget for the Board of Pardons and Parole of \$2,789,400.
2. The Analyst recommends approval of the Board's request for 2 additional hearing officers and 1 office specialist at a cost of \$198,100.
3. Continue the Board of Pardons and Parole's non-lapsing authority.



**BUDGET DETAIL TABLE**

| <b>Board of Pardons and Parole - Board Of Pardons and Parole</b> |                    |                     |                 |                    |                    |                    |
|--|--------------------|---------------------|-----------------|--------------------|--------------------|--------------------|
|  | <b>FY 2005</b>     | <b>FY 2006</b>      |                 | <b>FY 2006</b>     |                    | <b>FY 2007*</b>    |
| <b>Sources of Finance</b>  | <b>Actual</b>      | <b>Appropriated</b> | <b>Changes</b>  | <b>Revised</b>     | <b>Changes</b>     | <b>Base Budget</b> |
| General Fund   | 2,632,500          | 2,709,800           | 0               | 2,709,800          | 0                  | 2,709,800          |
| General Fund, One-time   | 17,000             | 0                   | 0               | 0                  | 0                  | 0                  |
| Dedicated Credits Revenue  | 900                | 2,200               | 0               | 2,200              | 0                  | 2,200              |
| GFR - Tobacco Settlement   | 77,400             | 77,400              | 0               | 77,400             | 0                  | 77,400             |
| Beginning Nonlapsing   | 156,700            | 75,000              | 32,800          | 107,800            | (107,800)          | 0                  |
| Closing Nonlapsing   | (107,800)          | 0                   | 0               | 0                  | 0                  | 0                  |
| <b>Total</b>   | <b>\$2,776,700</b> | <b>\$2,864,400</b>  | <b>\$32,800</b> | <b>\$2,897,200</b> | <b>(\$107,800)</b> | <b>\$2,789,400</b> |
| <b>Programs</b>  |                    |                     |                 |                    |                    |                    |
| Board Of Pardons and Parole                                      | 2,776,700          | 2,864,400           | 32,800          | 2,897,200          | (107,800)          | 2,789,400          |
| <b>Total</b>   | <b>\$2,776,700</b> | <b>\$2,864,400</b>  | <b>\$32,800</b> | <b>\$2,897,200</b> | <b>(\$107,800)</b> | <b>\$2,789,400</b> |
| <b>Categories of Expenditure</b>                                 |                    |                     |                 |                    |                    |                    |
| Personal Services  | 2,170,600          | 2,283,300           | 44,800          | 2,328,100          | 1,400              | 2,329,500          |
| In-State Travel  | 22,600             | 15,800              | (800)           | 15,000             | 0                  | 15,000             |
| Out of State Travel  | 11,000             | 5,600               | 3,300           | 8,900              | 0                  | 8,900              |
| Current Expense  | 500,000            | 461,600             | 10,600          | 472,200            | (59,800)           | 412,400            |
| DP Current Expense   | 72,500             | 23,100              | 49,900          | 73,000             | (49,400)           | 23,600             |
| Other Charges/Pass Thru  | 0                  | 75,000              | (75,000)        | 0                  | 0                  | 0                  |
| <b>Total</b>   | <b>\$2,776,700</b> | <b>\$2,864,400</b>  | <b>\$32,800</b> | <b>\$2,897,200</b> | <b>(\$107,800)</b> | <b>\$2,789,400</b> |
| <b>Other Data</b>  |                    |                     |                 |                    |                    |                    |
| Budgeted FTE   | 33.5               | 32.5                | 1.0             | 33.5               | 0.0                | 33.5               |
| Vehicles   | 6                  | 6                   | 0               | 6                  | 0                  | 6                  |

\*Does not include amounts in excess of subcommittee's state fund allocation that may be recommended by the Fiscal Analyst.