

# 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.

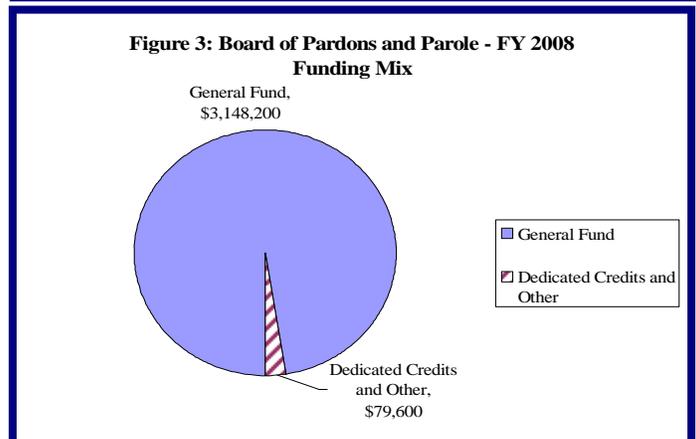
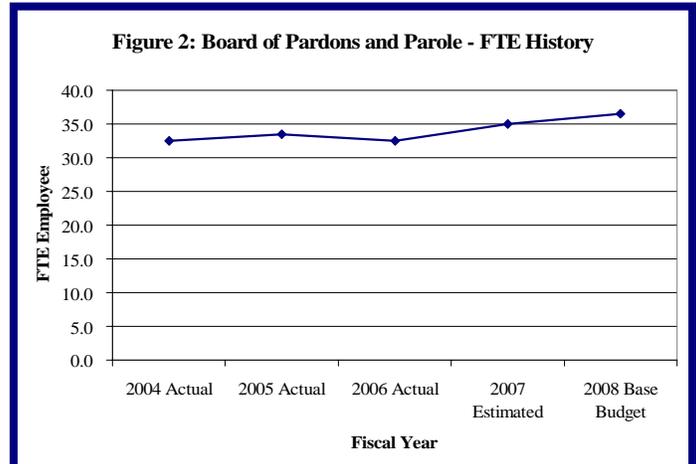
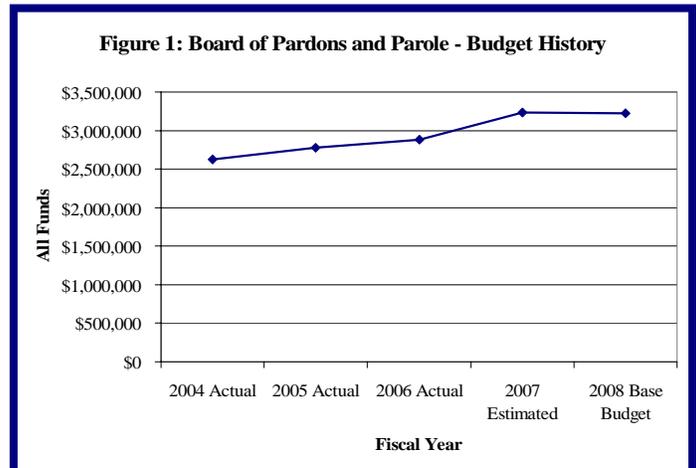
## ISSUES AND RECOMMENDATIONS

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 1993, Board decisions and caseload have increased 76 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. For your information, the budget increases of FY 2007 are due to the addition of three new positions and the cost-of-living adjustment increase.

The Board of Pardons and Parole has requested an additional \$159,900 in General Fund to hire one case analyst, an office technician, a Pro Tempore Board Member, and a contract attorney 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 Board controls the following factors: 1) hearing fairness, and 2) hearing timeliness. 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 \$159,900 in additional General Fund to hire a case analyst, office technician, Pro Tempore Board Member, and a contract Attorney.

**Recommendation**

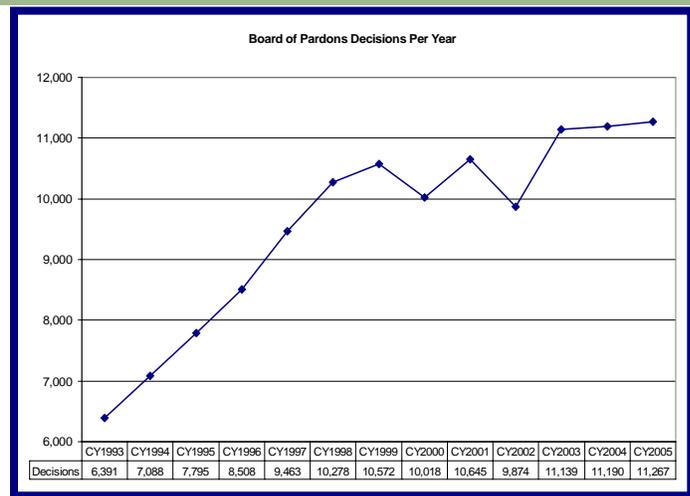
The Analyst recommends a base budget for the Board of Pardons and Parole of \$3,227,800 in General Fund.

**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 \$3,227,800.
2. The Analyst recommends approval of the Board's request for 2 additional employees and funding for a Pro Tempore Board Member at a cost of \$129,900.
3. Continue the Board of Pardons and Parole's non-lapsing authority.



**BUDGET DETAIL TABLE**

<b>Board of Pardons and Parole</b>						
<b>Sources of Finance</b>	<b>FY 2006</b>	<b>FY 2007</b>		<b>FY 2007</b>		<b>FY 2008*</b>
	<b>Actual</b>	<b>Appropriated</b>	<b>Changes</b>	<b>Revised</b>	<b>Changes</b>	<b>Base Budget</b>
General Fund	2,709,800	3,148,200	0	3,148,200	0	3,148,200
General Fund, One-time	0	(9,900)	0	(9,900)	9,900	0
Dedicated Credits Revenue	1,200	2,200	0	2,200	0	2,200
GFR - Tobacco Settlement	77,400	77,400	0	77,400	0	77,400
Beginning Nonlapsing	107,800	0	16,900	16,900	(16,900)	0
Closing Nonlapsing	(16,900)	0	0	0	0	0
<b>Total</b>	<b>\$2,879,300</b>	<b>\$3,217,900</b>	<b>\$16,900</b>	<b>\$3,234,800</b>	<b>(\$7,000)</b>	<b>\$3,227,800</b>
<b>Line Items</b>						
Board Of Pardons and Parole	2,879,300	3,217,900	16,900	3,234,800	(7,000)	3,227,800
<b>Total</b>	<b>\$2,879,300</b>	<b>\$3,217,900</b>	<b>\$16,900</b>	<b>\$3,234,800</b>	<b>(\$7,000)</b>	<b>\$3,227,800</b>
<b>Categories of Expenditure</b>						
Personal Services	2,320,600	2,755,900	(165,600)	2,590,300	175,500	2,765,800
In-State Travel	24,400	15,000	9,400	24,400	(9,400)	15,000
Out of State Travel	6,800	8,900	(8,900)	0	8,900	8,900
Current Expense	490,300	414,500	177,300	591,800	(177,300)	414,500
DP Current Expense	37,200	23,600	4,700	28,300	(4,700)	23,600
<b>Total</b>	<b>\$2,879,300</b>	<b>\$3,217,900</b>	<b>\$16,900</b>	<b>\$3,234,800</b>	<b>(\$7,000)</b>	<b>\$3,227,800</b>
<b>Other Data</b>						
Budgeted FTE	32.5	36.5	(1.5)	35.0	1.5	36.5
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.