

Compendium of Budget Information for the 2014 General Session

Executive Offices and Criminal Justice Appropriations Subcommittee

Agency: Board of Pardons and Parole

Function

The Board of Pardons and Parole (hereafter referred to as the "Board") is the release authority for inmates in the State of Utah. The Board reviews an inmate's performance after the inmate is incarcerated and determines when and under what conditions the inmate may be released after serving the minimum sentence required by law. In addition, the Board reviews violations of release conditions to decide whether an inmate should be sent back to prison.

The Board is a separate and independent organization from the Department of Corrections and the Courts. It has full parole, pardon, and commutation authority over all offenders in the jurisdictional custody of the Utah Department of Corrections. The Board makes decisions regarding the release of offenders from prison, sets conditions of parole supervision, orders restitution, and may remit fines subject to statutory guidelines.

Board hearings are held at Board offices, correctional facilities, and jails throughout the state.

Statutory Authority

The Board's authority is outlined in the Utah State Constitution and Utah Code Annotated, Section 77-27 et. seq.

- Utah Constitution Article VII, Section 12 creates the board and establishes the parameters of its responsibilities; and
- UCA 77-27 specifies the makeup of the board and its general operational and procedural guidelines.

Performance

The following chart shows measures that the Board of Pardons and Parole uses to track their performance. These are also reported to the Governor. This reflects performance for the Board of Pardons for Fiscal Year 2013. The measure titled "Timeliness of All Hearing Results" is directly related to the impact on the Department of Corrections budget. The more timely the Board is in conducting hearings, the less time inmates are in prison and are released on parole.

KPI	Metric	Target	FY 2013	FY 2012	Definition
1	Timeliness of All Hearing Results	95%	100%	100%	% of hearings routed and decisions entered within 30 days or less.
2	Parole Revocation Timeliness	90%	97%	97%	% of parole revocation cases addressed within 30 days of DOC custody.
3	Response Time for Correspondence	5	4	2.87	Ave. days of correspondence response (date of receipt to date of response).
4	Victim Notification	85%	83%	85%	% of victims of record provided contact or hearing notice.
5	Hearing Timeliness (Less parole violations)	95%	96%	100%	Ave. of total hearings conducted within scheduled time frames (UAC R.671-201).
6	Non-hearing Routings Timeliness	100%	98%	99%	% of Non-hearing decisions completed within 15 days.

Below shows the Board of Pardons and Parole caseload over time.

	2008	2009	2010	2011	2012	2013
Original & Re-Hearings	2,793	2,875	2,962	2,917	2,760	2,829
Parole Violation Hrgs.	1,470	1,449	1,183	1,000	1,103	1,043
Rescission Hearings	161	172	104	109	134	154
Victim Impact Hearings	X	X	4	4	6	4
Evidentiary & Restitution Hrgs.	14	13	12	6	21	22
Pardon Hearings **	1	3	20	8	11	12
Commutation Hrg.	0	0	1	0	0	2
<i>Total Hearings</i>	4,439	4,512	4,286	4,044	4,035	4,066
Special Attention Reviews	4,964	4,929	4,894	5,088	4,900	5,365
Termination Reviews	877	877	829	640	608	588
Warrants Issued	1,619	1,589	1,360	1,236	1,217	1,132
Warrants Recalled	85	77	77	75	34	106
Courtesy Hearings	0	0	0	0	1	1
Administrative Reviews	48	74	48	61	60	43
<i>Non-Hearing Decisions</i>	7,593	7,546	7,208	7,100	6,820	7,235
<i>Combined Total Decisions</i>	12,032	12,058	11,494	11,144	10,855	11,301

Issues/Analysis

Since FY 2010, the closing nonlapsing balance has increased by \$90,000 to \$190,000 each year. For FY 2013 the Board close the year with a \$500,000 nonlapsing balance (and lapsed about \$20,000 to the General Fund). The savings are largely from replacing retiring employees with employees with fewer benefits.

In FY 2013 the Legislature allowed the Board to spend up to \$500,000 on "capital equipment or improvements, computer equipment/software, employee/training incentives, and equipment/supplies." The Board reports that since FY 2009 the Board has been requesting authority to carryover ending balances into the new year to fund remodels, technology upgrades and security upgrades at the the Draper prison hearing room. However when the PRADA committee began their work the Board stopped remodel plans as decisions about relocating the decision will affect the decision to remodel the hearing room at the Draper prison.

Depending on those relocation decisions, the Board may decide to spend those funds or not. They estimate the remodel costs to be between \$450,000 - \$500,000.

Funding Detail

The Board of Pardons is funded primarily from the General Fund. During the 2010 General Session, the Legislature eliminated funding from the Tobacco Settlement Restricted Account which was replaced with funds from the General Fund. A small amount of Dedicated Credits Revenue is generated by the sale of hearing tapes, copies and transcripts.

Table 1: Operating and Capital Budget Including Expendable Funds and Accounts

Sources of Finance	2013 Actual	2014 Approp	2014 Change	2014 Revised	2015 Change	2015 Approp
General Fund	\$3,859,700	\$3,953,800	\$0	\$3,953,800	\$256,400	\$4,210,200
General Fund, One-time	\$0	(\$4,300)	(\$418,900)	(\$423,200)	\$435,300	\$12,100
Dedicated Credits Revenue	\$1,500	\$2,200	\$0	\$2,200	\$0	\$2,200
GFR - Tobacco Settlement	\$0	\$0	\$0	\$0	\$0	\$0
Beginning Nonlapsing	\$438,500	\$0	\$500,000	\$500,000	(\$500,000)	\$0
Closing Nonlapsing	(\$500,000)	\$0	\$0	\$0	\$0	\$0
Lapsing Balance	(\$20,400)	\$0	\$0	\$0	\$0	\$0
Total	\$3,779,300	\$3,951,700	\$81,100	\$4,032,800	\$191,700	\$4,224,500

Line Items	2013 Actual	2014 Approp	2014 Change	2014 Revised	2015 Change	2015 Approp
Board of Pardons and Parole	\$3,779,300	\$3,951,700	\$81,100	\$4,032,800	\$191,700	\$4,224,500
Total	\$3,779,300	\$3,951,700	\$81,100	\$4,032,800	\$191,700	\$4,224,500

Categories of Expenditure	2013 Actual	2014 Approp	2014 Change	2014 Revised	2015 Change	2015 Approp
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Personnel Services	\$3,085,800	\$3,243,300	(\$35,700)	\$3,207,600	\$241,000	\$3,448,600
In-state Travel	\$17,800	\$24,000	(\$2,000)	\$22,000	\$0	\$22,000
Out-of-state Travel	\$12,100	\$6,000	\$8,000	\$14,000	\$0	\$14,000
Current Expense	\$495,900	\$563,400	(\$442,200)	\$121,200	\$426,200	\$547,400
DP Current Expense	\$145,600	\$115,000	\$53,000	\$168,000	\$24,500	\$192,500
Capital Outlay	\$0	\$0	\$0	\$0	\$0	\$0
Other Charges/Pass Thru	\$22,100	\$0	\$500,000	\$500,000	(\$500,000)	\$0
Total	\$3,779,300	\$3,951,700	\$81,100	\$4,032,800	\$191,700	\$4,224,500

Other Indicators	2013 Actual	2014 Approp	2014 Change	2014 Revised	2015 Change	2015 Approp
Budgeted FTE	36	36	0	36	0	36
Actual FTE	36	0	0	0	0	0
Vehicles	6	6	0	6	0	6

COBI contains unaudited data as presented to the Legislature by state agencies at the time of publication. For audited financial data see the State of Utah's Comprehensive Annual Financial Reports.