

**CHANGE REQUEST for FY 08-09 BUDGET REQUEST CYCLE**

Department:	Corrections
Priority Number:	S-2, BA-2
Change Request Title:	Parole Board Administrative Support

**SELECT ONE (click on box):**

- Decision Item FY 08-09
- Base Reduction Item FY 08-09
- Supplemental Request FY 07-08
- Budget Request Amendment FY 08-09

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department of Corrections (DOC) requests \$48,820 General Fund in FY 07-08 as a supplemental to add 0.7 FTE (annualized to 4.0 in FY 08-09) for administrative support in the Parole Board Subprogram. The accompanying budget amendment requests \$162,579 for FY 08-09.

Background and Appropriation History:

The Parole Board's mission is to promote public safety, implement rules and regulations that govern the granting and revocation of parole, set terms of parole and release dates to ensure offenders receive fair and consistent treatment, as well as assist offenders toward community reintegration in accordance with State Statute CRS 17-2-201 (2007).

The seven-member Board is responsible for reviewing offender applications for parole, setting the conditions and duration of parole, reviewing parole officer requests for modifications to terms of parole or revocation of parole status, and remand of the offender back to prison or to a revocation facility. Parole Board members also review suspensions and rescissions of previously granted parole to offenders not yet released who subsequently become ineligible because of a new offense.

The seven Board members, three administrative hearing officers, four release hearing officers and support staff prepare paperwork for the various Board actions; staff also enter form information into various electronic systems for tracking and notification.

From July 1, 2006 to June 30, 2007, the Parole Board conducted 20,247 application hearings, 11,699 revocation hearings, 342 rescission hearings, and 663 full board hearings, a total of 32,951 hearings (*DOC Program Crosswalk FY 2008-09, Parole Board, pgs. 6-8*). During the first quarter of FY 07-08, the Parole Board conducted 9,697 hearings. Assuming this number remains constant throughout the year, the Parole Board will conduct 38,788 hearings this year, a 17.7 % increase over FY 06-07 (requiring 14.0 FTE per workload estimates for 7.0 FTE currently funded – see page 3).

Since FY 01-02, the Board received contract funding to add three administrative hearing officers and four release hearing officers. Administrative support FTE have not increased since that time.

Since FY 00-01, document management requirements have increased in direct proportion to hearing increases (65% increase in 7 years) (Table 1). Parole revocation hearings have increased 233% (8,187 more per year in 2007 than in 2001), rescission hearings 226% (up 237), while application hearings (up 28% or 4,426) and full board hearings (up 27% or 139) also increased. Parole Board and staff processed 12,989 more hearings in 2007 than in 2000.

For application hearings, staff receive documents from the facilities after the hearing is held. The documents are then audited, entered into the Parole Board database, copied and distributed. If the audit reveals errors, the document is amended by the administrative staff, stamped, a message sent to Time Computation, copied, and distributed. If Time Computation identifies an error after the audit is complete, Parole Board administrative staff amends the document.

For revocation hearings, parole complaints are sent from parole officers via the computer to the Parole Board administrative staff, who prints the complaint, schedules a hearing, and prepares files to be sent to hearing officers. After a hearing is scheduled, the staff prints an Admission Data Summary (ADS), types a Parole Board Mittimus based on alleged parole violation conditions outlined in the complaint, logs the documents onto a hearing sheet, notifies Parole Offices, Jails, and Courthouses on the hearing date, and sends the hearing packet to a hearing officer by FedEx. Upon return of the files after the hearing, the administrative staff audits the files to ensure the documents are complete, alleged violations are accounted for in findings, and appropriate boxes on the Mittimus are checked, and forwards the documents to Parole Division Offices, Jails, Time Comp, DOC Records, and the offender. If revocation decisions or paperwork are not accurate, the Mittimus is amended and redistributed.

Administrative support staff process each hearing document three to four times from inception to completion. If support staff process the paperwork an average of three times per hearing, the hearings in FY 06-07 would result in 38,967 additional processes over FY 2000-01 workloads (or an additional 9,742 hours). ( $38,967 \times 15 \text{ minutes} / 60 = 9,742 \text{ hours}$ )

- For 3,513 additional hearings in 2007 over 2006, support staff handled the paperwork 10,539 times more than the previous year. If document processing averages 15 minutes each (printing, filing, typing, copying, auditing, mailing preparation), administrative staff workloads are 2,634 additional hours of work in 2007. ( $10,539 \times 15 \text{ minutes} / 60 = 2,634 \text{ hours}$ )
- A total 32,951 hearings in 2007 would result in 24,713 hours required in administrative support (or 11.9 FTE working 2,080 hours per year). ( $32,951 \text{ documents} \times 3 \text{ processes} \times 15 \text{ minutes} / 60 = 24,713 \text{ hours}$ ) There are seven administrative support staff currently processing the workload of 11.9 FTE. These estimates also do not include routine correspondence or office operations.
- A projected 38,788 hearings in 2008 would result in 29,091 hours of administrative support (or 14.0 FTE working 2,080 hours per year compared to 7.0 currently funded). This increase of 4,378 hours over FY 06-07 results in an additional 2.1 FTE needed in just one year.

The Department is researching the automation of various forms to achieve higher efficiency in processing paperwork, but the proposal would not include converting historical documents to electronic format. The filing, tracking, and document processing required with current operations is astronomical, and additional FTE are needed to reduce the backlog of paperwork.

- Parole Board received FY 07-08 appropriations of \$1,150,377 in personal services for 13.5 FTE, \$104,890 in operating and \$152,000 in contract services.

General Description of Request:

The Department requests \$48,820 General Fund in FY 07-08 as a supplemental to the Parole Board Subprogram for 0.7 FTE (annualizing to 4.0 in FY 08-09) in administrative support staff (Administrative Assistant III). The accompanying budget amendment requests \$162,579 for FY 08-09.

Consequences if Not Funded:

Parole Board document processes would continue to be cumbersome, labor intensive, and an overload of current staff time and resources. Continually increasing prison populations will push increased hearing requirements onto the Parole Board, creating increased paperwork processing, staff time, and mailing preparation, eventually delaying hearings, generating errors or duplication of documents.

Calculations for Request:

FTE calculations are based on 3 months working (2 months personal services) for 0.7 FTE in FY 07-08 for the supplemental request, annualizing to 4.0 FTE in FY 08-09 in the budget amendment.

<b>Summary of Request FY 07-08 Supplemental</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Cash Funds Exempt</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$48,820	\$48,820	\$0	\$0	\$0	0.7

STATE OF COLORADO FY 08-09 BUDGET REQUEST CYCLE: Department of Corrections

<b>Summary of Request FY 07-08 Supplemental</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Cash Funds Exempt</b>	<b>Federal Funds</b>	<b>FTE</b>
(1A) Exec Directors Office - AED	\$290	\$290	\$0	\$0	\$0	0.0
(1A) Exec Directors Office - SAED	\$112	\$112	\$0	\$0	\$0	0.0
(1C) Inspector General – Operating Exp	\$100	\$100	\$0	\$0	\$0	0.0
(3D) Communications – Operating Expenses	\$1,800	\$1,800	\$0	\$0	\$0	0.0
(3F) Training – Operating Expenses	\$80	\$80	\$0	\$0	\$0	0.0
(3G) Information Systems – Operating Exp	\$800	\$800	\$0	\$0	\$0	0.0
(6) Parole Board - Personal Services	\$24,918	\$24,918	\$0	\$0	\$0	0.7
(6) Parole Board - Operating Expenses	\$500	\$500	\$0	\$0	\$0	0.0
(6) Parole Board - Start Up	\$20,220	\$20,220	\$0	\$0	\$0	0.0

<b>Summary of Request FY 08-09 Budget Amendment</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Cash Funds Exempt</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$162,579	\$162,579	\$0	\$0	\$0	4.0
(1A) Exec Directors Office - AED	\$2,216	\$2,216	\$0	\$0	\$0	0.0
(1A) Exec Directors Office - SAED	\$927	\$927	\$0	\$0	\$0	0.0
(1C) Inspector General – Operating Exp	\$100	\$100	\$0	\$0	\$0	0.0
(3D) Communications – Operating Exp	\$1,800	\$1,800	\$0	\$0	\$0	0.0
(3F) Training – Operating Expenses	\$80	\$80	\$0	\$0	\$0	0.0
(3G) Information Systems – Operating Exp	\$800	\$800	\$0	\$0	\$0	0.0
(6) Parole Board - Personal Services	\$154,656	\$154,656	\$0	\$0	\$0	4.0
(6) Parole Board - Operating Expenses	\$2,000	\$2,000	\$0	\$0	\$0	0.0

<b>Summary of Request FY 09-10</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Cash Funds Exempt</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$163,159	\$163,159	\$0	\$0	\$0	4.0
(1A) Exec Directors Office - AED	\$2,216	\$2,216	\$0	\$0	\$0	0.0
(1A) Exec Directors Office - SAED	\$692	\$692	\$0	\$0	\$0	0.0
(1C) Inspector General – Operating Exp	\$100	\$100	\$0	\$0	\$0	0.0

Summary of Request FY 09-10	Total Funds	General Fund	Cash Funds	Cash Funds Exempt	Federal Funds	FTE
(3D) Communications – Operating Expenses	\$1,800	\$1,800	\$0	\$0	\$0	0.0
(3F) Training – Operating Expenses	\$80	\$80	\$0	\$0	\$0	0.0
(3G) Information Systems – Operating Exp	\$800	\$800	\$0	\$0	\$0	0.0
(6) Parole Board - Personal Services	\$155,471	\$155,471	\$0	\$0	\$0	4.0
(6) Parole Board - Operating Expenses	\$2,000	\$2,000	\$0	\$0	\$0	0.0

Table 1 - Hearing Caseload Increases					
	Parole Application	Full Board	Rescission	Parole Revocation	TOTAL
00-01	15,821	524	105	3,512	19,962
01-02	16,294	509	112	5,681	22,596
02-03	16,784	572	153	6,189	23,698
03-04	16,695	511	250	6,997	24,453
04-05	16,412	253	296	9,305	26,266
05-06	18,094	444	280	10,620	29,438
06-07*	20,247	663	342	11,699	32,951
<b>Increase 01-07</b>	<b>4,426</b>	<b>139</b>	<b>237</b>	<b>8,187</b>	<b>12,989</b>
<b>Growth % 01-07</b>	<b>28%</b>	<b>27%</b>	<b>226%</b>	<b>233%</b>	<b>65%</b>
*06-07 statistics are interim figures.					

Table 2 - Percentage Growth in New Cases/Support Staff Workloads

	<b>Total Hearings</b>	<b>Support Staff Processing Time (Hearings x .75 hr) in Hours</b>	<b>Additional Hours Required from Previous Year</b>	<b>Yearly Increase</b>
00-01	19,962	14,972		
01-02	22,596	16,947	1,975	13.2%
02-03	23,698	17,774	827	4.9%
03-04	24,453	18,340	566	3.2%
04-05	26,266	19,700	1,360	7.4%
05-06	29,438	22,079	2,379	12.1%
06-07*	32,951	24,713	2,634	11.9%
<b>Increase 01-07</b>	<b>12,989</b>	<b>9,742</b>	<b>9,742</b>	<b>65.1%</b>
<b>Projected 07-08* (9,697 x 4 qtrs)</b>	<b>38,788</b>	<b>29,091</b>	<b>4,378</b>	<b>17.7%</b>
* Preliminary figures.				

Assumptions for Calculations:

- Hearings will continue to increase as parole populations increase.
- There are 7.0 FTE administrative support staff currently funded.
- Projected workloads for FY 07-08 are projected to be steady, using first quarter actual hearings of 9,697 (projected 38,788 for the year).
- Approximately 29,091 hours will be required for hearing document preparation (45 minutes per document), which relates to 14.0 FTE projected workload. This request is for an additional 4.0 FTE for a total of 11.0 administrative support FTE in the Parole Board Subprogram.

Impact on Other Government Agencies: None.

Cost Benefit Analysis:

<b>Cost</b>	<b>Benefit</b>
General Fund Impact: \$48,820 in FY 07-08 (3 months); \$162,579 in FY 08-09	The Department would be able to effectively process and disseminate Parole Board documents in a timely manner, reducing paperwork backlog. Additional staffing would ensure adequate resources for continued growth in FY 07-08.

Implementation Schedule:

<b>Task</b>	<b>Month/Year</b>
Internal Research/Planning Period	February, 2008
Write Position Description Questionnaires and Personnel Action Request	March, 2008
Open the Application Window to the Public	March, 2008
Close Application Window	March, 2008
Review, Interview, and Hire New Positions	March, 2008
New Employees Begin	April, 2008

Statutory and Federal Authority:

The statutes for the duties and powers of the Executive Director confer the authority to the Executive Director to manage, supervise, and control the correctional facilities within the State of Colorado and bestows authority to enter into agreements, contracts, and issue administrative warrants.

Article 1 Department of Corrections

Part 1 Corrections Administration

**17-2-201. (2007) State board of parole.**

*(1) (a) There is hereby created a state board of parole, referred to in this part 2 as the "board", which shall consist of seven members. The members of the board shall be appointed by the governor and confirmed by the senate, and they shall devote their full*

*time to their duties as members of such board. The members shall be appointed for three-year terms and may serve consecutive terms. The governor may remove a board member for incompetency, neglect of duty, malfeasance in office, continued failure to use the risk assessment guidelines as required by section [17-22.5-404](#), or failure to regularly attend meetings as determined by the governor. Final conviction of a felony during the term of office of a board member shall automatically result in the disqualification of the member from further service on the board. The board shall be composed of two representatives from law enforcement, one former parole or probation officer, and four citizen representatives. The members of the board shall have knowledge of parole, rehabilitation, correctional administration, the functioning of the criminal justice system, and the issues associated with victims of crime. The three designated members of the board shall each have at least five years' education or experience, or a combination thereof, in their respective fields. No person who has been convicted of a felony or of a misdemeanor involving moral turpitude or who has any financial interests which conflict with the duties of a member of the parole board shall be eligible for appointment.*

*(3) The chairperson, in addition to other provisions of law, has the following powers and duties:*

*(a) To promulgate rules governing the granting and revocation of parole, including special needs parole pursuant to section [17-22.5-403.5](#), from correctional facilities where adult offenders are confined and the fixing of terms of parole and release dates. All rules governing the granting and revocation of parole promulgated by the chairperson shall be subject to the approval of a majority of the board and shall be promulgated pursuant to the provisions of section [24-4-103](#), C.R.S.*

*(b) To promulgate rules for the conduct of board members, the procedures for board hearings, and procedures for the board to comply with state fiscal and procurement regulations. All administrative rules and regulations promulgated by the chairperson shall be promulgated pursuant to the provisions of section [24-4-103](#), C.R.S.*

*(c.5) To contract with qualified individuals to serve as release hearing officers:*

*(I) To conduct parole application hearings for inmates convicted of nonviolent felonies that are class 4 felonies, class 5 felonies, or class 6 felonies, pursuant to rules adopted by the parole board; and*

*(II) To set parole conditions for inmates eligible for release to mandatory parole.*

*(4) The board has the following powers and duties:*

*(a) To meet as often as necessary every month to consider all applications for parole. The board may parole any person who is sentenced or committed to a correctional facility when such person has served his or her minimum sentence, less time allowed for good behavior, and there is a strong and reasonable probability that the person will not thereafter violate the law and that release of such person from institutional custody is compatible with the welfare of society. If the board refuses an application for parole, the board shall reconsider the granting of parole to such person within one year thereafter, or earlier if the board so chooses, and shall continue to reconsider the granting of parole each year thereafter until such person is granted parole or until such person is discharged pursuant to law; except that, if the person applying for parole was convicted of any class 3 sexual offense described in part 4 of article [3](#) of title [18](#), C.R.S., a habitual criminal offense as defined in section [18-1.3-801](#) (2.5), C.R.S., or of any offense subject to the requirements of section [18-1.3-904](#), C.R.S., the board need only reconsider granting parole to such person once every three years, until the board grants such person parole or until such person is discharged pursuant to law, or if the person applying for parole was convicted of a class 1 or class 2 felony that constitutes a crime of violence, as defined in section [18-1.3-406](#), C.R.S., the board need only reconsider granting parole to such person once every five years, until the board grants such person parole or until such person is discharged pursuant to law.*

*(b) To conduct hearings on parole revocations as required by section [17-2-103](#). Such hearings shall be exempt from the requirements set forth in section [24-4-105](#), C.R.S. Judicial review of any revocation of parole shall be held pursuant to section [18-1-410](#) (1) (h), C.R.S.*

*(7) The board has exclusive power to conduct all proceedings involving an application for revocation of parole.*

*(8) The board has the power, in the performance of official duties, to issue warrants and subpoenas, to compel the attendance of witnesses and the production of books, papers, and other documents pertinent to the subject of its inquiry, and to administer oaths and take the testimony of persons under oath. The issuance of a warrant tolls the expiration of a parolee's parole.*

*(9) (a) (I) Whenever an inmate initially applies for parole, the board shall conduct an interview with the inmate. At such interview at least one member of the board shall be present. Any final action on an application shall not be required to be made in the presence of the inmate or parolee, and any such action shall require the concurrence of at least two members of the board. When the two members do not concur, a third member shall review the record and, if deemed necessary, interview the applicant and cast the deciding vote. Any subsequent application for parole shall be considered by the board in accordance with the provisions of section [17-2-201](#) (4) (a).*

*(b) When a recommendation has been made before the board for revocation or modification of a parole, the final disposition of such application shall be reduced to writing. The parolee shall be advised by the board of the final decision at the conclusion of the hearing or within a period not to exceed five working days following said hearing; however, a parolee may waive the five-day notice requirement. A copy of the final order of the board shall be delivered to the parolee within ten working days after the completion of the hearing.*

*(c) If the parolee decides to appeal the decision to revoke his parole, such appeal shall be filed within thirty days of such decision. The parolee shall remain in custody pending the appeal. Two members of the board, excluding the one who conducted the revocation proceeding, shall review the record within fifteen working days after the filing of the appeal. They shall notify the parolee of their decision in writing within ten working days after such decision has been made.*

*(10) The board shall interview all parole applicants at the institution or in the community in which the inmate is physically held or through teleconferencing as provided in subparagraph (II) of paragraph (d) of subsection (3) of this section. The site location of an interview shall not be changed within the thirty days preceding the interview date without the approval of the board. Any inmate of an adult correctional institution who has been transferred by executive order or by civil commitment or ordered by a court of law to the Colorado mental health institute at Pueblo may be heard at the Colorado mental health institute at Pueblo upon an application for parole.*

Performance Measures:

Numbers of application, rescission and revocation hearings are measured.