

BUDGET REPORT AND MEASURE SUMMARY

CARRIER: Sen. Shields

**Joint Committee On Ways and Means**

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**Action:** Do Pass With Amendments To The B-Eng Bill To Resolve Conflicts. (Printed C-Eng)

**Action Date:** 07/03/15

**Vote:**

**Senate**

**Yeas:** 9 - Burdick, Devlin, Hansell, Johnson, Monroe, Roblan, Shields, Steiner Hayward, Winters

**Nays:** 3 - Girod, Thomsen, Whitsett

**House**

**Yeas:** 10 - Buckley, Gomberg, Huffman, Komp, Nathanson, Rayfield, Read, Smith, Whisnant, Williamson

**Nays:** 2 - McLane, Whitsett

**Prepared By:** Michelle Lisper, Department of Administrative Services

**Reviewed By:** Timothy Walker, Legislative Fiscal Office

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**Agency:** Board of Parole and Post-Prison Supervision

**Biennium:** 2015-17

**Budget Summary**

|              | 2013-15 Legislatively<br>Approved Budget | 2015-17 Current Service<br>Level | 2015-17 Committee<br>Recommendation | Committee Change from 2013-15<br>Leg. Approved |          |
|--------------|--|----------------------------------|-------------------------------------|--|----------|
|              |  |                                  |                                     | \$ Change                                      | % Change |
| General Fund | \$ -                                     | \$ -                             | \$ 3,163,183                        | \$ 3,163,183                                   | 100.0%   |
| Total        | \$ -                                     | \$ -                             | \$ 3,163,183                        | \$ 3,163,183                                   | 100.0%   |

**Position Summary**

|                                      |      |      |       |       |
|--------------------------------------|------|------|-------|-------|
| Authorized Positions                 | 0    | 0    | 12    | 12    |
| Full-time Equivalent (FTE) positions | 0.00 | 0.00 | 10.00 | 10.00 |

**Revenue Summary**

House Bill 2320 appropriates \$3,163,183 General Fund to the Board of Parole and Post-Prison Supervision (BPPPS) to support 12 positions (10.00 FTE) and the duties to carry out the provisions of the bill.

**Summary of Public Safety Subcommittee Action**

House Bill 2320 directs BPPPS to adopt a sex offender risk assessment methodology and classify sex offenders into risk levels. The bill requires the Board of Parole to have five members and authorizes a minimum of three board members to make and review certain discussions for the 2015-17 biennium. The bill adds nine permanent full-time positions and three full-time limited duration positions, and allocates \$420,000 for a potential location move for all or part of the agency to accommodate the additional staffing.

**Board of Parole**

The Subcommittee approved the appropriation of \$3,163,183 General Fund the establishment of 12 positions (10.00 FTE) for BPPPS to adopt a sex offender risk assessment methodology to classify sex offenders into risk levels. Previously, House Bill 2549 (2013) required the Department of Corrections (DOC) to conduct these assessments on individuals incarcerated and BPPPS to conduct the assessments on individuals already registered.

BPPPS is directed to classify persons convicted of certain sex crimes and sentenced to imprisonment. The bill extends the timeline in which BPPPS must have all existing registrants classified, to December 1, 2018. In addition, the bill requires the juvenile court to hold a hearing at the end of its jurisdiction over juveniles to determine if the juvenile must report as a sex offender.

The Subcommittee recommended the following positions to conduct the duties assigned in this bill. Positions are estimated to begin in October 2015 unless otherwise noted.

- One permanent full-time Operations and Policy Analyst 3 position (0.88 FTE).
- Two permanent full-time Administrative Specialist 2 positions and three limited duration Administrative Specialist 2 positions (4.36 FTE).
- Two permanent full-time Hearings Officer positions (1.63 FTE), one of the positions will not be hired prior to January 1, 2016.
- One permanent full-time Administrative Specialist 1 position (0.88 FTE).
- One permanent full-time Hearings Specialist position (0.75 FTE), not to be hired prior to January 1, 2016.
- Two permanent full-time board member positions (1.50 FTE), not to be hired prior to January 1, 2016.

The Operations and Policy Analyst 3 will establish the processes and procedures and develop the rules and methodology for implementing the program. The permanent full-time Administrative Specialist 2 positions will complete the assessments for inmates within DOC facilities (estimated at 2,079), new out-of-state registrants (estimated at 20 per month), and existing registrants that have not had an assessment (estimated at 5,000 adult males, and 800 females or youth). Three of the Administrative Specialist 2 positions are limited-duration through the 2017-19 biennium to complete the backlog of registrants needing an assessment.

BPPPS will use the two Hearings Officers to make recommendations to the Board on any disputed assessments and schedule, and conduct reclassification and relief hearing. One of the Hearings Officers is expected to begin January 1, 2016 along with a Hearings Specialist to assist with administrative duties of the Board.

Additionally, BPPPS anticipates needing to increase the Board by two members in 2015-17 (1.50 FTE) and two in the 2017-19 biennia (1.25 FTE), for a total of four additional board members beyond the current three. The two board members in 2015-17 will begin January 1, 2016. In the 2017-19 biennium, one board member will begin January 1, 2018 and the second will begin July 1, 2018. The additional board member positions will review the hearings officers' recommendations for classifications and reclassification and relief hearings. BPPPS notes that by January 2019 there will be approximately 6,500 registrants eligible for relief or reclassification. Included in the costs of the board members are pay-line exceptions for board member salaries. The Subcommittee noted that the Board will need to increase the limits set in statute for the number of board members to increase beyond five in the 2017-19 biennium.

In addition to the Administrative Specialist 1 position established in 2015-17 for staff support, BPPPS anticipates needing a second full-time Administrative Specialist 1 position to be established in 2017-19 to provide a Victim Specialist role for relief and reclassification hearings.

There is not capacity at BPPPS' current office location to support the additional positions and the Board will need to look at moving all or a portion of the staff to another location. Initial cost estimates for the appropriate amount of office space are around \$420,000. The Department of Administrative Services is instructed to unencumber this amount until the costs of any potential move or additional space needs are better understood.

**Budget Note:**

The Board is directed to report to the February 2016 Session of the Legislative Assembly on the hiring and implementation process to meet the requirements of House Bill 2320. In addition, the Board should report to the Legislative Assembly on progress in reducing the backlog of Static 99 reviews, reviews for female and juvenile offenders, and a forecast on current offenders eligible for appeal of their status.

**Summary of Performance Measure Action**

See attached Legislatively Adopted 2015-17 Key Performance Measures form.

**DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION**

**HB 2320-C**

**Board of Parole Post-Prison Supervision**  
**Michelle Lisper -- 503-378-3195**

| DESCRIPTION                              | GENERAL FUND        | LOTTERY FUNDS | OTHER FUNDS |             | FEDERAL FUNDS |             | TOTAL ALL FUNDS     | POS       | FTE          |
|--|---------------------|---------------|-------------|-------------|---------------|-------------|---------------------|-----------|--------------|
|  |                     |               | LIMITED     | NONLIMITED  | LIMITED       | NONLIMITED  |                     |           |              |
| <u>SUBCOMMITTEE RECOMMENDATION</u>       |                     |               |             |             |               |             |                     |           |              |
| <b>SCR 013 - Parole Board</b>            |                     |               |             |             |               |             |                     |           |              |
| HB 2320                                  |                     |               |             |             |               |             |                     |           |              |
| Personal Services                        | \$ 1,847,619        | \$ -          | \$ -        | \$ -        | \$ -          | \$ -        | \$ 1,847,619        | 12        | 10.00        |
| Services and Supplies                    | \$ 1,315,564        | \$ -          | \$ -        | \$ -        | \$ -          | \$ -        | \$ 1,315,564        |           |              |
| <b>TOTAL SUBCOMMITTEE RECOMMENDATION</b> | <b>\$ 3,163,183</b> | <b>\$ -</b>   | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b>   | <b>\$ -</b> | <b>\$ 3,163,183</b> | <b>12</b> | <b>10.00</b> |