

Board of Parole Budget Presentation - Iowa House Justice System Appropriations Subcommittee

IOWA BOARD OF PAROLE

CHAIR NICK DAVIS

MONDAY, JANUARY 31, 2023

About the Board

Five regular board members

- Only the Chair and Vice Chair are full time members
- Board members serve staggered four year terms, and the role of Chair and Vice Chair are at the pleasure of the Governor

Three alternate board members

Six staff

- Two administrative law judges
- Three liaison officers
 - Victims
 - DOC
 - Districts
- One administrative secretary

Statutory Mandate

“The board shall release on parole... any person whom it has the power to so release, when in its opinion there is reasonable probability that the person can be released without detriment to the community or to the person.” Iowa Code § 906.4(1)

- The Board only has the power to release those without a life sentence or mandatory minimum, or where the mandatory minimum has expired

“The board at least annually shall review the status of a person [who is eligible for parole].” Iowa Code § 906.5(1)(a)

“It is the intent of the general assembly that the board shall implement a plan of early release in an effort to assist in controlling the prison population and assuring prison space for the confinement of offenders whose release would be detrimental to the citizens of this state.” Iowa Code § 906.5(2)

Mandate Implemented

The Board typically receives 100-300 weekly recommendations from the Department of Corrections to release or not release offenders

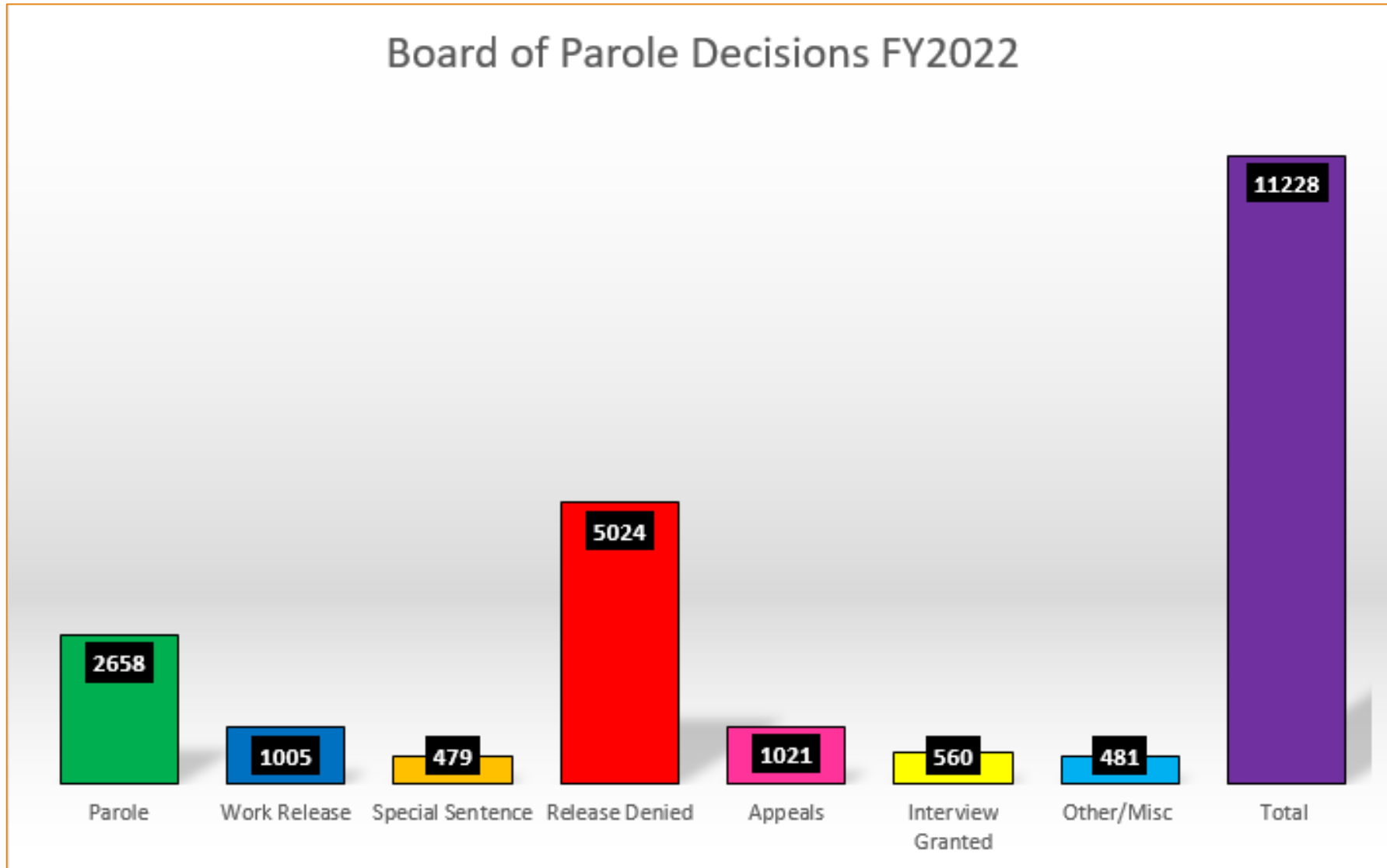
The Board meets approximately 12 days per month for panel screenings

A panel of three board members reviews each recommendation, which is accompanied by an offender's docket, and a host of other information provided by Corrections. An offender must receive at least three member votes to be released

The Board typically holds up to 20 offender interviews each week. The board interviews an offender before potential release when a victim of the offender registers under Chapter 915, or when the Board otherwise feels it is necessary

The administrative rules of the Board of Parole provide factors that a board panel may consider before making a decision to release or deny. See admin. rule 205-8.10(906)

Board of Parole Decisions FY 2022



Board of Parole Release Decisions Statistics

RELEASE DECISIONS	FY2020	FY2021	FY2022
Parole	4,725	2,646	2,658
Work Release	1,467	824	1,005
Special Sentence	544	513	479
Release Denied	5,488	4,912	5,024
Appeals Denied	1,104	1,287	1,021
Appeals with Modification	29	11	6
Interview Granted	498	544	560
Other/Miscellaneous	645	517	475
TOTAL	14,500	11,254	11,228

Board of Parole Special Review Decisions Statistics

SPECIAL REVIEW DECISIONS	FY2020	FY2021	FY2022
Amend Decision	488	413	354
Parole Rescinded	166	123	108
Work Release Rescinded	200	79	85
Special Sentence Rescinded	10	9	9
Deny Special Review	25	19	13
TOTAL	889	643	569

Board of Parole Executive Clemency Decisions Statistics

EXECUTIVE CLEMENCY	FY2021	FY2022
Commutation Decisions Made	50	86
Commutation Recommended	1	5
Pardon Decisions	23	14
Pardon Recommended	7	2
Firearm Restoration Decisions	52	47
Firearm Restoration Recommended	22	24
Firearm Restoration/Pardon Decision	45	35
Firearm Restoration/Pardon Recommended	18	18
TOTAL DECISIONS MADE	170	182
TOTAL RECOMMENDATIONS MADE	48	49

Parole Revocations

The parole revocation process begins with a parole officer filing a violation report. The alleged violator is notified to appear before an Administrative Law Judge (ALJ) to determine whether they are in violation of the terms of their parole agreement

An ALJ may impose the following sanctions if a parolee violates the terms of their agreement:

- Reinstatement of parole
- Reinstatement of parole with additional conditions imposed (ex: GPS monitoring, substance abuse evaluation or other treatment program)
- Revocation of parole to a work release program
- Revocation of parole and return to prison

ALJs do not hear cases involving parolees sentenced to prison for new felonies or aggravated misdemeanors. These are considered “automatic revocations.”

Parole Revocation Statistics

PAROLE REVOCATION STATISTICS	FY2020	FY2021	FY 2022
Total Parole Revocation Hearings Held	3,350	3,104	2,919
Total Paroles Revoked	2,003	1,380	1,538
Discretionary Revocations	1,606	1,058	1,201
Automatic Revocations	397	322	337

Victim Services

The Board staff includes a victim services coordinator whose primary responsibility is to assist victims who want to exercise their rights established by Chapter 915, the Iowa Victims Rights Act, including:

- Right to notification not less than 20 days before the Board conducts an interview with an offender
- Opportunity to submit their opinion concerning release in writing prior to the interview, or may appear personally or by counsel at the interview to express an opinion
- Right to notification of the Board's decision regarding release, regardless if the victim appears at the interview or expresses an opinion regarding release
- Assistance with the parole process, including recommendations to additional services when necessary

At the end of FY 2022, a total of 7,376 victims were registered with the Board of Parole

The Board mailed a total of 5,272 victim notifications during FY 2022

Budget

Fiscal Year	FY 2021	FY 2022	FY 2023	FY 2024 (requested)
Appropriation	\$1,240,135	\$1,285,739	\$1,308,724	\$1,317,894

Budget Line Items – FY 2022

Salaries & Benefits	\$1,041,474
Travel	\$14,396
Supplies	\$4,829
Services	\$185,848
Equipment	\$9,569
Total	\$1,256,116

Additional Requests - Alignment

The Governor is proposing as part of her larger Alignment agenda that the Board of Parole transition to a full time working Board. This means that:

- The three regular members will no longer work on a per diem basis and instead will draw a full time salary and benefits
- The three alternate member positions will be eliminated

In order to make the Board full time, the Governor is requesting an additional \$200,000 which is what our budget team believes will cover the difference between part time and full time work for the current members

The total budget request for FY 2024 is therefore \$1,517,894

Any Questions?
