

PAROLE BOARD

Enabling Laws

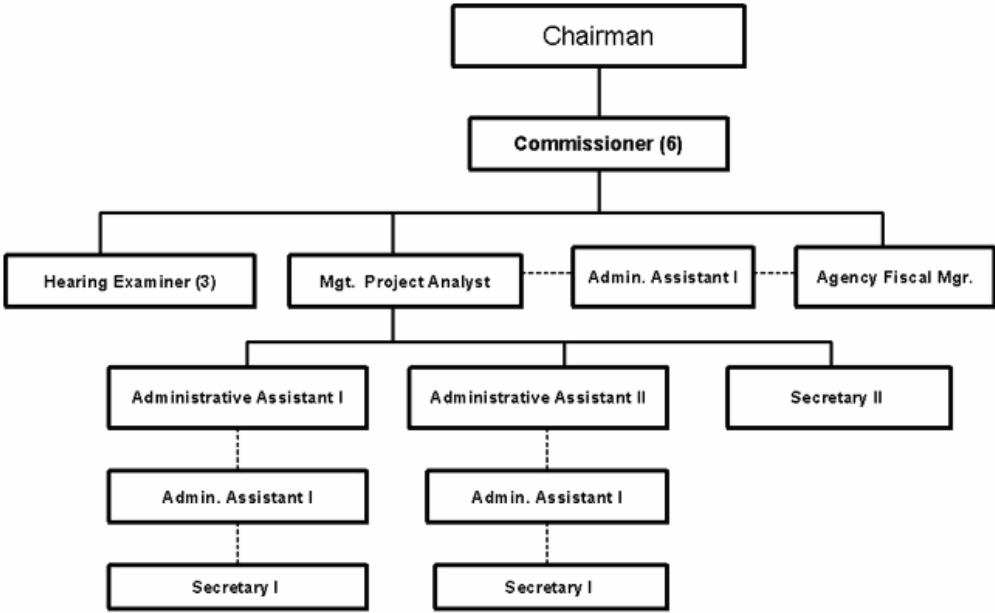
Act 2269 of 2005
A.C.A. §16-93-201, et seq

History and Organization

The Post Prison Transfer Board is dedicated to the process of promoting public safety by the return of offenders into the community through supervised, conditional release. The goal is to guide and monitor the transition from confinement to the successful completion of supervision within the community. The State Board of Parole and Community Rehabilitation was created by Act 937 of 1989, with three (3) full-time members and four (4) part-time members.

During the 79th General Assembly Regular Session, 1993, an act to change the name of the State Board of Parole and Community Rehabilitation to the Post Prison Transfer Board was introduced and became law. This was followed by Act 285/361 of 1995, to provide that the Post Prison Transfer Board be comprised of five (5) full-time members and two (2) part-time members. Act 979 of 1999, authorized a change to six (6) full-time members and one (1) part-time member. The staff consists of three (3) Revocation Hearing Examiners and seven (7) Clerks for a total of 16 authorized positions.

During the 85th General Assembly Regular Session, Act 1033 of 2005 changed the name of the Post Prison Transfer Board to the Parole Board and authorized three (3) additional clerical staff. The staff consists of three (3) Revocation Hearing Examiners, five (5) Administrative Assistants, three (3) Secretaries, one (1) Management Project Analyst and one (1) Agency Manager for a total of 19 authorized positions.



Agency Commentary

The Parole Board (PB) is responsible for conducting parole hearings throughout the State, making decisions on conditional release of inmates for correctional facilities, and reviewing all pardon and executive clemency applications and making non-binding recommendations to the Governor. The Parole Board is responsible for granting, denying, suspending, and revoking parole in accordance with legislative criteria: the risk posed to the community by the offender's potential to re-offend and the rehabilitation and reintegration of the offender back into the community.

Over the last 10 years, the parole caseload has grown 255%. Arkansas' parole system is challenged by the continued increase in the number of offenders released under parole supervision. During the past five (5) years, the number of supervised parolees has increased by 71%. According to the 2005 Parole Survey, the prison population on December 31, 2004, was 13,511. During 2005, 12,488 individuals were given parole consideration by means of a hearing or file review by the Board, with 6,210 being face-to-face interviews.

The Department of Community Correction (DCC) Institutional Release staff prepare case records for us which helps PB members in conducting Arkansas Department of Correction inmate case reviews and hearings to determine parole, as required by Arkansas Code Annotated § 16-93-203. Depending on the date of a crime or sentence, some inmates are transfer eligible (TE) and other are parole eligible (PE). Some inmates are not eligible for parole, but may be considered for release under clemency laws.

Arkansas Code 16-93-201 established the Parole Board with six full-time Board members and one part-time Board Member. The Board requests that the one part-time Board position become full-time and a vehicle purchased for the position. With the increase of cases being screened and hearings being performed we see the necessity of this request.

The Board requests three additional positions, an Internal Affairs Administrator (grade 23) and an Administrative Assistant I (grade 15), and an Information Systems Planner (grade 22). The Internal Affairs Administrator will be an investigator and assist Board members, gather and investigate information that's provided pursuant to request for pardons, clemencies and other parole issues. The Investigator will visit courthouses around the State, reviewing old and new case files as we attempt to verify information submitted for review. The purpose of the Administrative Assistant I will be to accommodate the support needed for the Investigator.

In the last Biennium, the Board was able to establish a video conferencing center. This allows the Board members and Hearing Examiners to conduct some hearings and inmate case reviews without transporting the inmates. With the increase in laptops and desktop computers and information technology needs, the Board is requesting an information systems planner.

With the four additional positions, there will be a need for computers, printers, telephones, and office furniture for them to be able to perform their duties. As well as increased mileage and meals and lodging for the Investigator's travel. In FY 06, we obtained American Correctional Association accreditation and to maintain our accreditation, staff must meet minimum training hours. Therefore it will be necessary to increase travel expenses to accommodate present staff of 19.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
POST PRISON TRANSFER BOARD
FOR THE YEAR ENDED JUNE 30, 2005

Findings	Recommendations
None	None

Employment Summary

	Male	Female	Total	%
White Employees	4	3	7	39 %
Black Employees	3	8	11	61 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			11	61 %
Total Employees			18	100 %

Publications

A.C.A 25-1-204

Name	Statutory Authorization	Required for		# Of Copies	Reason (s) for Continued Publication and Distribution
		Governor	General Assembly		
Annual Report	ACA §16-93-202	Y	Y	22	Information Purposes

Agency Position Usage Report

FY2004-2005						FY2005-2006						FY2006-2007					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
16	16	0	16	0	0.00%	19	17	2	19	0	10.53%	19	18	1	19	0	5.26%

Analysis of Budget Request

Appropriation: 306 - Parole Board Operations

Funding Sources: HUA-Miscellaneous Agency Fund

The Parole Board, formerly the Post Prison Transfer Board (PPBT), consists of seven members, six of which are full-time paid employees of the State. They have one part-time non-paid member. The Governor appoints each board member for a seven-year term. Board members regularly interview eligible inmates to determine who should be placed on parole or in an alternative service program. They also prescribe conditions of parole or release for inmates. The Chairman of the Parole Board also serves as an ex-officio member of the Board of Corrections.

The funding for Parole Board is from general revenue. The Parole Board is authorized to receive assistance from the Department of Correction (DOC) and the Department of Community Correction (DCC), as provided by Section 3 of Act 2269 of 2005.

A cost of living increase is not incorporated in Base Level pending the outcome of the Classification and Compensation Study. FY07 salary levels have been held flat each year for all incumbents. Personal Services Matching may reflect increases in the Base Level due to the Social Security Tax maximum income limit and certain increases in Worker's Compensation and Unemployment Tax rates. Personal Services Matching also includes a \$30 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$350 per month.

The Base Level Request is \$1,527,810 in both FY08 and FY09.

The Change Level requests submitted are \$240,421 in FY08 and \$234,584 in FY09 and are summarized as follows:

1. The Agency is requesting the part-time board member become a full-time paid State employee. This requires Arkansas Code §16-93-201 be amended.
2. The Agency is requesting three additional new positions: an Administrative Assistant I - grade 15, and one Internal Affairs Administrator - grade 23, and an Information System Planner - grade 22. The salary and match total is \$218,898 in both FY08 and FY09. The Agency will use the Internal Affairs Administrator as an Investigator position.
3. Requesting \$5,000 each year for Conference and Travel Expenses. To maintain accreditation with the American Correctional Association, the Agency must attend several seminars and training classes.
4. \$17,037 in FY08 and \$11,200 in FY09 for Operating Expenses for the four new positions requested. This includes additional lease space, telephones, computers, software, data processing supplies, parking, and mileage and meal and lodging.

The Executive Recommendation provides for Base Level and additional appropriation in the amount of \$1,000 for Conference and Travel Expense with no additional general revenue funding.

Appropriation Summary

Appropriation: 306 Parole Board Operations
Funding Sources: HUA-Miscellaneous Agency Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	895,709	964,959	954,954	964,959	1,133,025	964,959	964,959	1,133,025	964,959
#Positions	19	19	19	19	23	19	19	23	19
Personal Services Matching 5010003	240,589	256,623	252,511	274,557	325,389	274,557	274,557	325,389	274,557
Operating Expenses 5020002	294,429	286,294	299,841	286,294	303,331	286,294	286,294	297,494	286,294
Conference & Travel Expenses 5050009	2,886	2,000	2,000	2,000	7,000	3,000	2,000	7,000	3,000
Professional Fees 5060010	0	0	0	0	0	0	0	0	0
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	91,306	0	0	0	0	0	0	0	0
Total	1,524,919	1,509,876	1,509,306	1,527,810	1,768,745	1,528,810	1,527,810	1,762,908	1,528,810
Funding Sources									
General Revenue 4000010	1,524,919	1,509,306		1,527,810	1,768,745	1,527,810	1,527,810	1,762,908	1,527,810
Merit Adjustment Fund 4000055	0	570		0	0	0	0	0	0
Total Funding	1,524,919	1,509,876		1,527,810	1,768,745	1,527,810	1,527,810	1,762,908	1,527,810
Excess Appropriation/(Funding)	0	0		0	0	1,000	0	0	1,000
Grand Total	1,524,919	1,509,876		1,527,810	1,768,745	1,528,810	1,527,810	1,762,908	1,528,810

Change Level by Appropriation

Appropriation: 306-Parole Board Operations
Funding Sources: HUA-Miscellaneous Agency Fund

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	1,527,810	19	1,527,810	100.0	1,527,810	19	1,527,810	100.0
C01	Existing Program	232,098	4	1,759,908	115.1	233,098	4	1,760,908	115.2
C08	Technology	8,837	0	1,768,745	115.7	2,000	0	1,762,908	115.3

Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	1,527,810	19	1,527,810	100.0	1,527,810	19	1,527,810	100.0
C01	Existing Program	1,000	0	1,528,810	100.0	1,000	0	1,528,810	100.0
C08	Technology	0	0	1,528,810	100.0	0	0	1,528,810	100.0

Justification

C01	The Agency is asking for four new positions and operating expenses to support these positions. The Agency is requesting that the part-time Board Member become a full-time position. An Internal Affairs Administrator, one Information Systems Planner and an Administrative Assistant I are being requested. The Internal Affairs Administrator, which will be an Investigator and the Administrative Assistant I are being requested in order to meet the increasing request for the research needed for pardons, clemencies, and other parole issues. The Investigator will visit courthouses around the state, reviewing old and new case files in order to verify information submitted for review. The Information Systems Planner is need to provide the Agency with the necessary support for software, hardware, and network issues. Also the Information Systems Planner will maintain the Information Technology plan along with planning for future Agency needs. In order to maintain accreditation with the American Correctional Association, the Agency is requesting additional travel appropriation for staff training.
C08	The Agency is requesting the hardware and software and printers to support the four positions requested. Software licenses are requested for both years of the biennium. The Agency is in the process of setting up a video conferencing center between them and Department of Correction and Department of Community Correction. This will allow the Board and Hearing Examiners to conduct screenings and reviews on inmates more efficiently. Inmates will not have to be transported for their reviews or parole hearings. The maintenance and software updates for the video conferencing is requested.