

## **Department of Planning and Budget 2023 Fiscal Impact Statement**

**1. Bill Number:** SB1361 S1

**House of Origin**     Introduced         Substitute         Engrossed

**Second House**     In Committee     Substitute         Enrolled

**2. Patron:**        Morrissey

**3. Committee:** Rules

**4. Title:**         Parole Board; membership; eligibility determinations; reports.

**5. Summary:** The substitute bill makes the following changes that affect the Parole Board (the Board):

- Removes an exemption for certain records of the Board from the mandatory disclosure provisions of the Virginia Freedom of Information Act.
- Requires the Board to adopt rules regarding parole eligibility that require a public safety and scientific risk assessment and consideration of the prisoner's demonstrated rehabilitation, economic and educational development, commitment to prosocial behavior, and community and family supports.
- Requires the Board to make investigations and reports with respect to any commutation of sentence, pardon, reprieve or remission of fine, or penalty within two years of the submission of the petition for such commutation.
- Requires the Board to publish the statement of actions taken by the Board by the fifteen day of each month and requires that the statement include individualized reasons for the granting or denial of parole and the vote of each member and sets out requirements for an annual report of actions taken by the Board on the parole of prisoners during the prior year.
- Sets out requirements for information that must be shared with prisoners who are denied parole and with prisoners or their attorneys as a result of investigations.

**6. Budget Amendment Necessary:** Indeterminate

**7. Fiscal Impact Estimates:** Preliminary. See Item 8 below.

**8. Fiscal Implications:** The Board reports that the changes the bill makes to monthly reporting responsibilities would require programming modifications to CORIS, estimated at \$108,000.

It is expected that this one-time cost could be covered by the Department of Corrections using the agency's existing resources. There may also be costs associated with implementing a public safety and scientific risk assessment to inform parole decisions. However, it is not clear which assessment tool would be most appropriate; therefore, costs are not known at this time.

Currently, the Board is required to complete investigations and reports with respect to any commutation of sentence, pardon, reprieve or remission of fine, or penalty when requested by the Governor, with no time limit specified. According to the Board, requiring completion within two years of the submission of the petition for such commutation may significantly increase the agency's workload. However, the additional resources required to address this requirement are not known at this time. If additional information becomes available, this fiscal impact statement will be revised.

**9. Specific Agency or Political Subdivisions Affected:** Virginia Parole Board, Department of Corrections

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None