

PAROLE BOARD

Enabling Laws

Act 240 of 2014
A.C.A. §16-93-201, et seq.

History and Organization

The Parole 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 the name of the State Board of Parole and Community Rehabilitation was changed to the Post Prison Transfer Board. 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 consisted of three (3) Revocation Hearing Examiners and seven (7) Clerks for a total of sixteen (16) authorized positions.

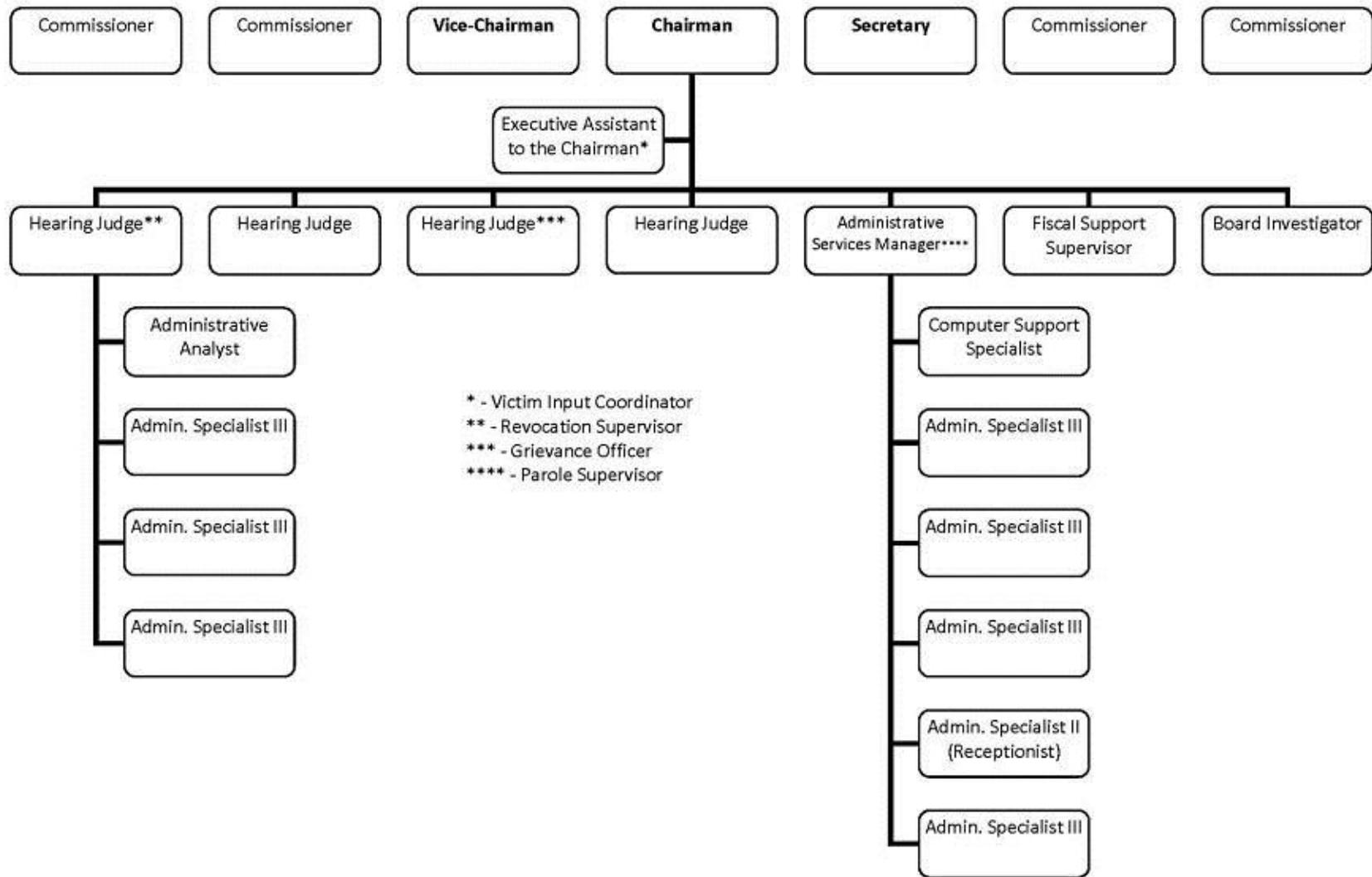
During the 85th General Assembly Regular Session, Act 1033 of 2005 changed the name of the Post Prison Transfer Board to the Parole Board and authorized three (3) additional clerical staff. The staff consisted of three (3) Revocation Hearing Examiners, five (5) Administrative Assistants, three (3) Secretaries,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

During the 86th General Assembly Regular Session, Act 697 of 2007 authorized two (2) additional support staff members and changed the composition of the Board to seven (7) full-time members to be appointed from the state at large by the Governor and confirmed by the Senate. The support staff consists of one (1) Executive Assistant to the Director, three (3) Hearing Examiners, one (1) Investigator, one (1) Fiscal Support Supervisor, one (1) Information Technology/Accreditation Coordinator, two (2) Administrative Support Supervisors, one (1) Fiscal Support Specialist, three (3) Administrative Support Specialists II and two (2) Administrative Support Specialist III for a total of twenty-two (22) authorized positions.

Since 2004, Arkansas' parole caseload has grown 51%, with the parole population being 22,336 as of June 30, 2014 (according to the Department of Community Correction, DCC). The overall parole caseload decreased from FY13 to FY14 due to a 153% percent increase in parole revocations over the same period. The vast majority of revoked offenders are ultimately returned to supervision prior to discharging their sentence. During FY14, the Board considered 11,461 cases by means of a hearing or file review (screening), with 6,959 being face-to-face interviews. According to the Arkansas Department of Correction (ADC), the prison population on June 30, 2014 was 17,340. At the end of the biennium (FY17), both the prison and parole populations are projected to increase above current levels.

Depending on the date of a crime or sentence, some inmates are transfer eligible (TE) and others are parole eligible (PE). Parole/transfer is the conditional release of an inmate from incarceration to structured supervision within the community for the balance of the court-ordered sentence. Parole/transfer may be granted to an eligible person by the Board when, in its opinion, there is a reasonable probability that the person can be released without detriment to the community or the offender or when mandated by law.

Staff from DCC's Institutional Release Services' section prepare case files for use by Board members in conducting hearings and file reviews.



Agency Commentary

The Arkansas Parole Board (APB) is responsible for conducting parole hearings throughout the State, making decisions on the conditional release of inmates from correctional facilities, and reviewing all pardon and executive clemency applications and making non-binding

recommendations to the Governor. They are responsible for granting, denying, suspending, and revoking parole in accordance with legislative criteria and Board policy. The Chairman of the Parole Board also serves as an ex-officio member of the Board of Corrections.

In recent years, the Agency has adjusted to meet an ever-changing environment. As a result, we have implemented and/or dealt with the following:

- Evidenced-based practices
- Expanded reporting requirements
- Automation and mobility efforts
- Data-driven decision making
- Dramatic changes in parole and revocation policies
- Increases in staffing

The Board experienced record growth in FY14 in the form of 26% increase in parole cases and a 153% increase in the number of Revocations. The Agency is requesting additional general revenue appropriation and funding in the amount of \$370,707 in FY16 and \$304,207 in FY17. This request is a direct result of the items mentioned above and their recent growth. This is a budget of needs versus wants. The breakdown is reflected below:

Increases in Regular Salaries and Personal Services Matching

The Agency is requesting a Regular Salaries and Personal Services Matching increase of \$108,007 in each year of the biennium for the restoration of a Revocation Hearing Judge (growth pool position) and the reclassification of three (3) positions listed below:

- Administrative Services Manager to APB Program Administrator
- Computer Support Specialist to Software Support Analyst
- Fiscal Support Specialist to APB Agency Fiscal Services Manager

Increases in Rent and Leases and Buildings and Grounds

In 2013 and 2014, the Agency added new positions marking the first time our agency has grown since 2007. This growth has resulted in a shortage of work and storage space. In addition, our current location has proven difficult to secure which has created concerns for the safety of our Board, support staff, and visiting members of the public. Our existing lease is up in 2015 and, following a 1-year extension, the Board has planned for relocation to a larger space that can be adequately secured. The increases of \$9,000 in FY16 and \$18,000 in FY17 for Rent and Leases and \$2,500 in each year of the biennium for Building and Grounds Maintenance will provide the resources necessary for the Agency to relocate.

Increases in Data Processing Supplies, Software/Licenses and Network Services

In 2013, the Agency hired a Computer Support Specialist restoring a position that had been lost in 2010 as a result of reclassifications. The stated goal of this restored position was to continue automation efforts and expand the Board's data-driven decision making (a requirement of the Board in State law). The increases of \$3,000 in FY16 and \$1,000 in FY17 for Data Processing Supplies, \$15,000 in FY16 and \$3,000 in FY17 for Software/Licenses and \$34,000 in FY16 and \$35,500 in FY17 for Network Services will provide funding for the Agency to separate from the Department of Community Correction and establish an agency-run network. This will provide greater efficiency for the Agency and the ability to tailor our IT support to our specific needs. Additionally, funding is included in this request to (1) continue the move of the Board toward electronic voting in parole cases and (2) support electronic access to case information at the various units of the Departments of Correction and Community Correction. Finally, this request reflects an understanding that with the addition of in-house IT support, there must be corresponding increases in the dedicated funding for that area.

Increases in Vehicle Insurance and Building Contents Insurance

This request includes an additional \$1,200 in each year of the biennium to account for increases in insurance costs resulting from relocating to new office space and purchasing new vehicles. \$600 will be allocated to vehicle insurance and \$600 to building and contents insurance. Any additional costs will be addressed with existing funding.

Increases in Conference and Travel

A necessary element of any successful agency is the development of its staff. The increase of \$5,000 for FY16 will be put toward training our senior staff in (1) evidenced-based practices (2) data-driven decision making (3) recidivism reduction and (4) stakeholder collaboration. These items are requirements of the Board's annual training curriculum (required by § 16-93-201) and those that fulfill senior roles should be in a position to support the Board in those areas. This request will also supply additional funds to provide specialized training for our Hearing Judges in Administrative law, technical certifications for our Computer Support Specialist as the Board establishes its own network and general development opportunities for our clerical staff which are a requirement of the American Correctional Association's training standards for Parole Boards.

Increases in Professional Fees

A.C.A. § 16-93-211, § 16-93-615 and § 16-93-701 all require the Board to base its parole decisions on the results of a risk-needs assessment in order to assure that those decisions are reasoned and rational. The assumption was and continues to be that the tool will be "validated." This term means that the assessment is a valid, or accurate, predictor of an offender's risk to reoffend. Validations generally occur every three

(3) years of a tool's use. The Parole Risk Assessment Tool (PRAT) was fully adopted in 2012, and therefore it is due to be validated in 2015. Funding is not available for this project in FY15; therefore the Board is requesting \$20,000 to fund this project in FY16. This amount has been determined to be the "going rate" for this type of work based on conversations with the firm that designed the tool in 2011 and the cost of retaining of PhD level graduate assistant for a semester from a local college/university.

A.C.A. § 16-93-201 creates a requirement that the Board emphasize data-driven decision making. In order to meet this requirement, the Agency has made several enhancements to our Electronic Offender Management Information System (eOMIS). eOMIS is a secure web-based database shared by the Department of Correction, Department of Community Correction, the Parole Board, and several other agencies. It contains all case information related to inmates and parolees in Arkansas. In FY14, the Board approved over \$70,000 in enhancements to eOMIS related in whole or in part to the Board. With only \$20,000 in available funding, the burden to fund the remaining balance had to be shifted to ADC and DCC. This increase will provide an additional \$30,000 in funding for eOMIS enhancements and \$30,000 for the Agency's share of the annual maintenance contract in each year of the biennium. Both development and maintenance costs are fixed cost negotiated between ADC, DCC, APB, and Marquis (the vendor).

Addition of Capital Outlay

The Agency is requesting Capital Outlay Appropriation and Funding of \$113,000 in FY16 and \$75,000 in FY17 in order to replace our aging vehicle fleet and outdated video equipment.

In 2006, the Board received a fleet of vehicles from DF&A. By the end of the next biennium, those vehicles will be over ten (10) years old with odometer readings in excess of 100,000 miles. The annual projected maintenance cost will also approach the market value of the existing fleet. This appropriation and funding will allow the Agency to replace the 2006 vehicles and the one purchased in 2008 by purchasing three in each year of the biennium. Each vehicle purchase is budgeted at \$25,000.

The existing equipment used to conduct parole hearings via video was purchased in 2006. On average, the Board conducts one hundred forty-one (141) hearings each month via video which in FY14 resulted in over 21,500 miles NOT being driven and Board members having more time to review cases in the office. As a result of their age, the existing equipment can no longer receive maintenance support from the vendor that has the State contract. In FY14, the unit used for full board hearings failed. Due to the inability to receive maintenance support, the Agency is unable to fix the equipment and therefore has lost that functionality. There are three (3) currently operational units out of four (4) used for parole hearing; however, the feedback received indicates that they are all subject to a catastrophic failure as a result of their age. If any one of the remaining units fail, the Board will be unable to conduct hearings via video as allowed in A.C.A. § 16-93-615. In 2015, the Board will also be requesting an amendment to State law which would allow victim impact hearings to be conducted via video. \$38,000 is budgeted to replace our video hearing equipment.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
ARKANSAS PAROLE BOARD
FOR THE YEAR ENDED JUNE 30, 2013

Findings

Effective internal controls provide for the safeguarding of assets. During our test of equipment, seven exceptions were noted:

- The Agency was unable to reconcile five asset numbers assigned in AASIS to the inventory tag numbers assigned by the Agency. Although we were able to sight equipment with the Agency's inventory tag number that matched the description of the item in AASIS, no documentation was available to verify these assets were the assets listed in AASIS.
- A sixth asset was sighted that was not tagged with any identifying asset number.
- The seventh asset was unable to be located.

Lack of proper internal controls over capital assets could allow for the misappropriation of state assets and result in inaccurate accounting records.

Recommendations

To ensure that all assets are properly tagged and accounted for, we recommend Agency management: 1) conduct a complete asset inventory, 2) identify any assets that need to be added or deleted from the fixed asset listing in AASIS, 3) reconcile the Agency's inventory tag numbers to the asset numbers in AASIS, and 4) submit any missing information to the Department of Finance and Administration (DFA) for upload to AASIS. We further recommend that Agency management submit a list of any assets that cannot be accounted for to DFA for approval to remove the assets from the Agency's fixed asset listing.

Agency Response:

We have begun implementing several steps to address this issue which include:

- We are identifying any asset that needs to be added or deleted from the fixed asset listing
- We are also reconciling the Agency's inventory tag numbers to the asset numbers in AASIS and submitting any missing information to DFA.
- We will submit a list of any assets that cannot be accounted for to DFA for approval to remove the assets from the Agency's fixed asset listing.

We are confident that these efforts, along with closer monitoring by staff, will address current issues and prevent future ones.

State Contracts Over \$50,000 Awarded To Minority Owned Businesses Fiscal Year 2014

None

Employment Summary

	Male	Female	Total	%
White Employees	5	6	11	48 %
Black Employees	4	8	12	52 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			12	52 %
Total Employees			23	100 %

Publications

A.C.A. 25-1-201 et seq.

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution	Unbound Black & White Copies Produced During the Last Two Years	Cost of Unbound Copies Produced During the Last Two Years
		Governor	General Assembly				
Annual Report	ACA §16-93-202	Y	Y	30	Information Purposes	0	0.00
Monthly Board Reports	ACA §16-93-210	Y	Y	7	Monitor Parole Applications and Outcomes	0	0.00

Agency Position Usage Report

FY2012 - 2013						FY2013 - 2014						FY2014 - 2015					
Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused
	Filled	Unfilled	Total				Filled	Unfilled	Total				Filled	Unfilled	Total		
22	22	0	22	0	0.00 %	22	23	0	23	-1	-4.55 %	24	24	1	25	-1	0.00 %

Budgeted Number of Positions exceeds the Authorized Number due to a transfer from the Agency Growth Pool during the 2013-2015 Biennium.

Analysis of Budget Request

Appropriation: 306 - Parole Board Operations

Funding Sources: HUA - Miscellaneous Agencies Fund

The Parole Board consists of seven members, which are appointed by the Governor and confirmed by the Senate for a seven-year term. Board members regularly conduct parole hearings throughout the State of Arkansas and make decisions on the conditional release of inmates in correctional facilities. The Board is also responsible for reviewing all pardon and executive clemency applications and making non-binding recommendations to the Governor. The Chairman of the Parole Board also serves as an ex-officio member of the Board of Corrections.

Funding for the Parole Board is from general revenue. The Agency 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 137 of 2012.

Base Level Regular Salaries and Personal Services Matching include continuation of the previously authorized 2015 1% Cost of Living Adjustment and Career Service Payments for eligible employees. Personal Services Matching also includes a \$10 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$420 per month. Base Level salaries and matching do not include appropriation for Merit Pay Increases. The Base Level request for Regular Salaries includes board member stipend payments.

The Agency's Change Level Request provides for an increase of \$370,707 in FY16 and \$304,207 in FY17 in general revenue funding and appropriation for the 2015-2017 Biennium and reflects the following:

- Regular Salaries and Personal Services Matching of \$108,007 in each year for the restoration of the Revocation Hearing Judge (N902 - growth pool position) and the reclassification of three (3) positions.
- Operating Expenses of \$64,700 in FY16 and \$61,200 in FY17 which primarily affect rent and leases, building and grounds, data processing supplies, software/licenses and network services and will allow for agency relocation and establishing an agency-run network apart from the Department of Community Correction.
- Conference & Travel of \$5,000 in FY16 for increased specialized training for the senior and clerical staff, Revocation Hearing Judges and Computer Support Specialist.
- Professional Fees of \$80,000 in FY16 and \$60,000 in FY17 for the Parole Risk Assessment Tool (PRAT) validation analysis and Electronic Offender Management Information System (eOMIS) enhancements and annual maintenance costs.
- Capital Outlay of \$113,000 in FY16 and \$75,000 in FY17 for the purchase of three (3) cars in each year of the biennium and to replace aging video equipment.

The Executive Recommendation provides for Agency Request totaling \$360,734 in FY16 and \$294,234 in FY17 in appropriation and positions only with the exception of the reclassification of the Fiscal Support Supervisor (C118) to an Arkansas Parole Board Fiscal Services Manager (C122).

Appropriation Summary

Appropriation: 306 - Parole Board Operations

Funding Sources: HUA - Miscellaneous Agencies Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			2015-2016			2016-2017		
		2013-2014 Actual	2014-2015 Budget	2014-2015 Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	1,322,799	1,390,745	1,422,864	1,333,817	1,417,783	1,409,640	1,333,917	1,417,883	1,409,740
#Positions		23	25	24	24	25	25	24	25	25
Personal Services Matching	5010003	407,033	434,666	440,238	420,668	444,709	442,879	420,691	444,732	442,902
Operating Expenses	5020002	269,120	273,473	281,536	273,473	338,173	338,173	273,473	334,673	334,673
Conference & Travel Expenses	5050009	3,175	5,000	5,000	5,000	10,000	10,000	5,000	5,000	5,000
Professional Fees	5060010	20,000	20,000	20,000	20,000	100,000	100,000	20,000	80,000	80,000
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	113,000	113,000	0	75,000	75,000
Total		2,022,127	2,123,884	2,169,638	2,052,958	2,423,665	2,413,692	2,053,081	2,357,288	2,347,315
Funding Sources										
General Revenue	4000010	2,022,127	2,123,884		2,052,958	2,423,665	2,052,958	2,053,081	2,357,288	2,053,081
Total Funding		2,022,127	2,123,884		2,052,958	2,423,665	2,052,958	2,053,081	2,357,288	2,053,081
Excess Appropriation/(Funding)		0	0		0	0	360,734	0	0	294,234
Grand Total		2,022,127	2,123,884		2,052,958	2,423,665	2,413,692	2,053,081	2,357,288	2,347,315

Budget Number of Positions exceeds the Authorized Number due to transfers from the Agency Growth Pool during the 2013-2015 Biennium.

Change Level by Appropriation

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

Agency Request

Change Level		2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
BL	Base Level	2,052,958	24	2,052,958	100.0	2,053,081	24	2,053,081	100.0
C01	Existing Program	210,700	0	2,263,658	110.3	156,700	0	2,209,781	107.6
C06	Restore Position/Approp	88,657	1	2,352,315	114.6	88,657	1	2,298,438	112.0
C08	Technology	52,000	0	2,404,315	117.1	39,500	0	2,337,938	113.9
C10	Reclass	19,350	0	2,423,665	118.1	19,350	0	2,357,288	114.8

Executive Recommendation

Change Level		2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
BL	Base Level	2,052,958	24	2,052,958	100.0	2,053,081	24	2,053,081	100.0
C01	Existing Program	210,700	0	2,263,658	110.3	156,700	0	2,209,781	107.6
C06	Restore Position/Approp	88,657	1	2,352,315	114.6	88,657	1	2,298,438	112.0
C08	Technology	52,000	0	2,404,315	117.1	39,500	0	2,337,938	113.9
C10	Reclass	9,377	0	2,413,692	117.6	9,377	0	2,347,315	114.3

Justification

C01	Agency requests \$210,700 for FY16 and \$156,700 for FY17 and includes increases in Regular Salaries and Personal Services Matching for personnel requests, Operating Expenses (rent and leases, buildings and grounds, vehicle insurance and building contents insurance), Conference and Travel (specialized training), Professional Fees (the PRAT validation assessment and eOMIS enhancements) and Capital Outlay (vehicle purchases and video equipment updates and replacement).
C06	Agency requests to restore the Revocation Hearing Judge growth pool position approved by OPM for the previous two (2) fiscal years. This position conducts revocation hearings and is necessary considering the Board's increasing caseloads.
C08	Agency requests \$52,000 in FY16 and \$39,500 in FY17 and includes increases in data processing supplies, software/licenses and network services expense. The increases will allow the Agency to continue moving the Board towards electronic voting for its parole cases and support electronic access to case information at the Departments of Correction and Community Correction. This request is compliant with the Agency's IT Plan.
C10	Agency requests the reclassification of three (3) positions: Administrative Services Manager to APB Program Administrator, Computer Support Specialist to Software Support Analyst and Fiscal Support Specialist to APB Agency Fiscal Services Manager.