

Part I – Agency Profile

Agency Overview

The Commission of Pardons and Parole (Commission) became a stand-alone agency on July 1, 2010. This agency is fully funded from the state general fund, but operates closely in conjunction with the Idaho Department of Correction (IDOC). The Commissioners are appointed by the Governor for three (3) year terms, confirmed by the Senate, and can be re-appointed at the end of their term.

History: In 1969, the current structure of the Commission was established: at this time there were four (4) part-time Commissioners and one full-time Commissioner with the title of Executive Secretary who served as the head of the agency; Commissioners were appointed by the Board of Correction. This structure was later changed to five (5) part-time Commissioners and an Executive Director, an exempt position, who was appointed by the Commissioners. In 2017, statute was amended to seven (7) part-time Commissioners. In the early 1990's, the Executive Director position was moved directly under the Board of Correction. In 1998, statutes were changed to move the Commissioners and Executive Director directly under the Governor. In 2010, the statute was again amended to make the Commission of Pardons and Parole a separate agency.

Purpose: The duties of the Commission are to conduct parole consideration hearings; process requests for clemency (pardon, commutation, remission of fines); restoration of firearms rights, process offenders out to parole when granted; consider early discharges from parole; consider medical parole; and to process offenders who are on parole in the community but have been charged with violating their parole. The duties of the Commission are described under Sections 20-223 and 20-240, Idaho Code.

Organizational Structure/Staff: The agency is staffed by thirty-seven (37) full time employees.

- The Executive Director is the head of the agency and is appointed and serves at the pleasure of the Governor. This position is the official spokesperson for the agency and is responsible for managing all Commission business.
- The Hearing Officer Manager supervises 20 Hearing Officers, and two (2) Violations Records Coordinators, and is a member of the management team, and speaks on criminal justice matters in the Director's absence.
- The Business Operations Manager is a member of the management team and supervises the agency's financial, legal, HR, budgeting, purchasing, and IT processes. Currently 8 professional and administrative staff including Financial Specialist, Legal Assistant, Business Analyst, Research Analyst, and 4 technical administrative positions report to the Business Manager. This position will speak on business related matters in the Director's absence.
- The Hearings Manager is responsible for the Commission hearing process and oversees four (4) employees.

Core Functions/Idaho Code

The Commission is mandated to process all offenders for parole consideration hearings once they are eligible for parole. Under the Unified sentencing structure, each sentence must have a fixed portion for the offender to serve, during which time the offender cannot be released on parole, and an indeterminate portion, of which the offender can be paroled at any time. The initial parole hearing is scheduled six (6) months prior to the fixed portion of the sentence being completed, which may have to be modified if the offender housing assignment is changed.

The Commissioners meet monthly to conduct parole hearings, revocation hearings, and reviews of cases (appeals of prior decisions, early discharges from parole, medical parole considerations, and numerous other cases requiring a Commission decision), usually meeting in panels of two (2) or three (3). A full panel of seven (7) Commissioners are scheduled to meet one day per quarter to consider pardons, commutations, and cases on which the panel of three could not reach a unanimous decision; all Commissioners are also scheduled for a business meeting once per quarter.

Offenders on parole are supervised by IDOC, but remain under the purview and conditions of the Commission. If an offender violates conditions of parole, the parole officer may submit a Report of Violation outlining the violations,

a hearing officer will conduct a hearing to determine if the offender is guilty or innocent of the named charges. At any time during this process, the Executive Director could reinstate the offender back to parole. Or, the hearing officer can refer the case to the Commission to consider parole revocation. At that time, the Commission may also reinstate the offender back to parole; grant another parole release; impose alternative sanctions, or maintain the offender in custody. The Commission conducts many reviews monthly to include reviews of disciplinary action for offenders who were granted a parole release date but have had serious behavior issues; medical parole requests; miscellaneous reviews for various reasons that require a Commission decision; appeals of prior decisions; early parole discharge requests; and clemency (pardon or commutation) requests. These reviews are prepared by staff and the case is reviewed with the Commissioners for a decision.

Revenue and Expenditures

| Revenue | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
|-----------------|--------------------|--------------------|--------------------|---------------------|
| General Fund | \$2,727,700 | \$2,844,800 | \$2,940,900 | \$3,248,720 |
| Total | \$2,727,700 | \$2,844,800 | \$2,940,900 | \$3,248,720* |
| Expenditures | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
| Personnel Costs | \$2,008,619 | \$2,106,054 | \$2,334,204 | \$2,689,000** |
| Operating Costs | \$604,001 | \$499,232 | \$511,680 | \$545,000*** |
| Total | \$2,612,620 | \$2,605,286 | \$2,845,884 | \$3,234,000 |

*Parole GF \$2,969,880 + Commissioners \$278,920

**Parole Personnel \$2,506,180 + Commissioners Personnel \$182,820

***Parole Operating \$448,900 + Commissioners Operating \$96,100

Profile of Cases Managed and/or Key Services Provided

| Cases Managed and/or Key Services Provided | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
|--|---------|---------|---------|---------|
| Number of Hearings | 2283 | 2107 | 5709* | 6580 |
| Parole Releases | 2614 | 3063 | 2904 | 1769** |
| Warrants Issued | 1188 | 1647 | 2140 | 1470 |
| Violation Hearings | 683 | 592 | 579 | 948 |
| Victim Contacts Attempted | 1097 | 2214 | 3088 | 6169*** |

* "Number of Hearings" now includes all Hearings except Primary Reviews. Previous years only reflect the number of Regular and Revocation Hearings

** "Parole Releases" now includes only those released to parole via new contract. Past numbers counted those released to parole (TM to PR) and those released as a parole violator back to parole (PV to PR).

*** "Victim Contacts Attempted"- new database tracking has allowed for a more accurate and thorough counting of victim interactions.

Part II – Performance Measures

| Performance Measure | | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|--|--------|-------------|-------------|-------------|-------------|---------|
| Goal # 1: Improve the process for addressing parole violators | | | | | | |
| 1. Process all regular parole hearings decisions by the end of the month | actual | 99% | 100% | 100% | 100% | ----- |
| | target | 95 – 100% | 95 – 100% | 95 – 100% | 95 – 100% | 95-100% |
| 2. Process 120 parole contracts a month. | actual | Average 147 | Average 164 | Average 138 | Average 147 | ----- |
| | target | 120 | 120 | 120 | 120 | 120 |

| Performance Measure | | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|--|--------|------------|------------|----------------------|----------------------|----------------------|
| 3. Make initial contact attempt with victims for parole violators | actual | 99% | 98% | 100% | 100% | ----- |
| | target | 85 – 90% | 85 – 90% | 85 – 90% | 85 – 90% | 85-90% |
| 4. Maintain average time between arrest and revocation hearing | actual | 5.3 months | 5.7 months | 5.2 months | 5.7 months | ----- |
| | target | n/a | n/a | 4 months | 4 months | 4 months |
| 5. Consistently communicate process changes and field information with staff (12 meetings per year) | actual | n/a | n/a | 12 | 8 | ----- |
| | target | n/a | n/a | 12 / year | 12 / year | 12 / year |
| 6. Consistent training and data feedback for Commissioners via Quarterly business meetings (4 meetings per year) | actual | n/a | n/a | 4 | 4 | ----- |
| | target | n/a | n/a | 4/year | 4/year | 4 / year |
| Goal # 2: Organizational restructuring of Parole Commission to maximize efficiencies | | | | | | |
| 7. Conduct monthly internal reviews of new or changes to existing policies, forms or procedures (12 meetings per year) | actual | n/a | n/a | 12 | 12 | ----- |
| | target | n/a | n/a | 12 meetings annually | 12 meetings annually | 12 meetings annually |
| 8. Bi-weekly management team meetings, including procedural reviews and problem solving (24 meetings per year) | actual | n/a | n/a | 24 | 30 | ----- |
| | target | n/a | n/a | 24 meetings annually | 24 meetings annually | 24 meetings annually |
| 9. Commissioners' Status is Part Time | actual | n/a | n/a | Yes | Yes | ----- |
| | target | n/a | n/a | Yes | Yes | Yes |
| 10. Average Days served per commissioner | actual | n/a | n/a | 74 | 68 | ----- |
| | target | n/a | n/a | n/a | n/a | n/a |
| 11. Policies and Procedures kept up-to-date | actual | n/a | n/a | Yes | Yes | ----- |
| | target | n/a | n/a | Yes | Yes | Yes |
| Goal # 3: Reduce the number of first time drug and property offenders serving over 150% of the fixed portion of their sentences | | | | | | |
| 12. Average annual time in custody | actual | n/a | 2.5 yrs | 2.7 yrs | 2.1 yrs | ----- |
| | target | n/a | n/a | n/a | n/a | n/a |
| 13. Offenders Paroled within 150% of their fixed sentence | actual | n/a | 80.8% | 85.3% | 86.8% | ----- |
| | target | n/a | 100% | 100% | 100% | 100% |
| Goal # 4: Increase transparency in Parole Commission functions | | | | | | |
| 14. Respond to public record requests promptly | actual | n/a | n/a | 1 | 3 | ----- |
| | target | n/a | n/a | 3 days | 3 days | 3 days |
| 15. Timely response to offender appeals petitions | actual | n/a | n/a | 6 weeks | 6 weeks | ----- |
| | target | n/a | n/a | 6 weeks | 6 weeks | 6 weeks |
| 16. Annual review of "Frequently Asked Questions" on commission website to reflect changes in policy or procedures. (one per year) | actual | n/a | n/a | 1 | 1 | ----- |
| | target | n/a | n/a | 1 | 1 | 1 |
| 17. Publish monthly and annual commission decision summaries (13 per year) | actual | n/a | n/a | 13 | 13 | ----- |
| | target | n/a | n/a | 13 | 13 | 13 |

| Performance Measure | | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|---|--------|---------|---------|----------------------------------|----------------------------------|----------------------------------|
| 18. Participate in events where there is opportunity to educate stakeholders on the Commission's mission. | actual | n/a | n/a | 10 | 11 | ----- |
| | target | n/a | n/a | 10 per year | 10 per year | 10 per year |
| Goal # 5: Improve and increase the scope of services provided to victims | | | | | | |
| 19. Update information regarding Commission processes and Victim services on commission website as changes occur. | actual | n/a | n/a | 1 | 1 | ----- |
| | target | n/a | n/a | Minimum of annually (1 per year) | Minimum of annually (1 per year) | Minimum of annually (1 per year) |
| 20. Attempted contact and hearing notification for all known victims. | actual | n/a | n/a | 100% | 100% | ----- |
| | target | n/a | n/a | 100% | 100% | 100% |
| 21. Collaborate with victim services providers and attend training | actual | n/a | n/a | 6 | 6 | ----- |
| | target | n/a | n/a | 6 per year | 6 per year | 6 per year |

Performance Measure Explanatory Notes

Goal # 1: Improve the process for addressing parole violators

1. Document timelines between events in the parole violation process.
2. Reduction in length of stay for technical parole violations.

#1 is in relation to a previous goal of completing hearing documentation prior to the end of the month. Because this is now done as a matter of practice monthly, the target was set to reflect an expectation of 100% compliance.

#2 was a measure set in previous years as a workload measure. However, other factors influence those numbers that are not controlled by Commissioners or staff. Therefore this is no longer reported as a performance measure, although it is monitored as a workload concern.

#3 every victim with an address on record was contacted by letter. Last year, 430 letters were returned as undelivered.

#4-6 were new in FY 17. The increase in time between arrest and revocation (#4) is related to the volume of parole violations in general, and the volume of parole violations which include new felony convictions. Parole violations involving new felony charges are typically continued at the offender's request until adjudication of the new charges, thus extending the time before the revocation hearing.

Goal # 2: Organizational restructuring of Parole Commission to maximize efficiencies

1. All employee positions have been analyzed and appropriate adjustments have calculated.
2. The Commission will meet increasing hearing demand while ensuring that commissioners maintain part time status.
3. All agency policies and procedures will be updated and complete.

#7 was new in 2017. A policy team was created to address updates to policies and procedures.

Goal # 3: Reduce the number of first time drug and property offenders serving over *150% of the fixed portion of their sentences

1. Annual time in custody report will reflect a decrease in time served for drug and property offenses.
2. An increase in first time drug and property offenders being paroled within 150% of their fixed sentences.

#12 and 13 figures are obtained from a report which is produced by IDOC

#13 does not contain a target, as the fixed portion of time for any sentence is imposed at the time of sentencing and varies by crime type. This is simply a measure for reference.

***Although the 150 percent benchmark is no longer included within the legislation, IDOC and ICPP continue to use this marker to enable consistent comparisons of parole release delays over time.**

Goal # 4: Increase transparency in Parole Commission functions

1. Develop policies and procedures for audio recording and related record keeping.
2. Maintain process for approving hearing minutes immediately following Commission hearings.
3. Create Frequently Answered Questions and current hearing data sections on Commission website.

#14-18 were new goals in 2017. The Commission increased the use of its website to better educate the public about our services and outcomes. The Executive Director and/or Deputy Director continue to make presentations to partner agencies and the general public in order to be more accessible and to educate our stakeholders.

Goal # 5: Improve and increase the scope of services provided to victims

1. Create a secure database for maintaining victim contact information.
2. Publish forms for victim information that can be completed and submitted electronically via Commission website along with links to victim service organizations.
3. Dedicate more of Victim Coordinator's time to interaction with victims.

#19-21 were new in FY 2017. Victims of crime have the right to be notified of all criminal justice proceedings, including parole proceedings. The Commission employs a Victim Coordinator who is responsible for making these notifications, as well as guiding victims through the process. Because of the large number of notices to be sent, other services to victims have been minimal, we are working toward other solutions to assist with notifications so that the Commission can better support victims through the parole process. This includes resource referrals, attending hearings with victims, and providing guidance and information. We have added a position to assist the victim coordinator with notifications, so that more time can be spent with victim interactions throughout the parole process.

For More Information Contact

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