

## ***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: The Commission was established in 1969, four (4) part-time Commissioners and one (1) 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. The Commission was later restructured to consist of five (5) part-time Commissioners and an Executive Director 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 but in 1998, statutes were changed to move both 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 parole releases; 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 Violation Hearing Officer Supervisor supervises eight (8) Violation Hearing Officers, two (2) Violation Records Coordinators, serves as a member of the Leadership team, and speaks on criminal justice matters in the Director's absence.
- The Parole Hearing Investigator Supervisor supervises eleven (11) Parole Investigators and serves as a member of the Leadership team.
- The Business Operations Manager supervises eight (8) professional and administrative staff which includes the Hearing Manager, Financial Specialist, Legal Assistant, Business Analyst, Research Analyst, four (4) technical administrative positions and serves as a member of the Leadership team. This position will speak on financial and business-related matters in the Director's absence.
- The Hearing Manager is responsible for the Commission hearing process and supervises four (4) staff members which include the Hearing Technician, Administrative Assistant II, Victim Coordinator, one (1) Technical Records Specialist I.

### **Core Functions/Idaho Code**

The Commission is mandated to process all eligible offenders for parole consideration hearings. Under the Unified sentencing structure, each sentence must include 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. The initial parole hearing is scheduled six (6) months prior to completion of the fixed portion of the sentence but may be modified if the offender's 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 is scheduled to meet one day per quarter to consider pardons, commutations, and cases on which the panel of

three (3) could not reach a unanimous decision. Included in the quarterly schedule is a Commission business meeting with all seven (7) Commissioners in attendance.

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 alleged violations. A Violation Hearing Officer will conduct a hearing to determine if the offender is guilty or innocent of the allegations. The Violation Hearing Officer may recommend that the offender be reviewed by the Commission for consideration of a parole diversion or may refer the offender for a revocation hearing before the Commission. At a revocation hearing, the Commission may reinstate parole; order a parole diversion, revoke parole, grant a new parole; or deny parole consideration until a later date, or may deny parole and pass an offender from further parole consideration. 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 2016	FY 2017	FY 2018	FY 2019
General Fund	\$2,844,800	\$2,940,900	\$3,248,720	\$3,317,400
<b>Total</b>	<b>\$2,844,800</b>	<b>\$2,940,900</b>	<b>\$3,248,720*</b>	<b>\$3,317,400*</b>
Expenditures	FY 2016	FY 2017	FY 2018	FY 2019
Personnel Costs	\$2,106,054	\$2,334,204	\$2,689,000**	\$2,566,898
Operating Costs	\$499,232	\$511,680	\$545,000***	\$586,160
<b>Total</b>	<b>\$2,605,286</b>	<b>\$2,845,884</b>	<b>\$3,234,000</b>	<b>\$3,153,058</b>

\*Parole GF \$2,878,116 + Commissioners \$274,942

\*\*Parole Personnel \$2,398,018 + Commissioners Personnel \$168,880

\*\*\*Parole Operating \$480,098 + Commissioners Operating \$106,062

**Profile of Cases Managed and/or Key Services Provided**

Cases Managed and/or Key Services Provided	FY 2016	FY 2017	FY 2018	FY 2019
Number of Hearings	2107	5709*	6580	7128
Parole Releases	3063	2904	1769**	1895
Warrants Issued	1647	2140	1470	1523
Violation Hearings	592	579	948	1065
Victim Contacts Attempted	2214	3088	6169***	6536

\* "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.

**Red Tape Reduction Act**

Each agency shall incorporate into its strategic plan a summary of how it will implement the Red Tape Reduction Act, including any associated goals, objectives, tasks, or performance targets. This information may be included as an addendum.

	As of July 1, 2019
Number of Chapters	1
Number of Words	13,843
Number of Restrictions	113

The Commission continues to strive in reducing and to simplify IDAPA rules & statutes by taking out redundancies & duplications. Currently the Commission has three (3) chapters proposed updating within the IDOC combined chapters. The Commission has one (1) chapter of IDAPA rules which were updated by removing outdated language, duplicative statutory language and obsolete rules. The Commission plans on further updating the rules and statutes to reflect current and best business practices.

**Part II – Performance Measures**

Performance Measure		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>Goal # 1: Improve the process for addressing parole violators</b>						
1. Process all regular parole hearings decisions by the end of the month	actual	100%	100%	100%	100%	-----
	target	95 – 100%	95 – 100%	95 – 100%	95-100%	95-100%
2. Process 120 parole contracts a month.	actual	Average 164	Average 138	Average 147	Average 157	-----
	target	120	120	120	120	120
3. Make initial contact attempt with victims for parole violators	actual	98%	100%	100%	100%	-----
	target	85 – 90%	85 – 90%	85 – 90%	85-90%	85-90%
4. Maintain average time between arrest and revocation hearing	actual	5.7 months	5.2 months	5.7 months	5.6 months	-----
	target	n/a	4 months	4 months	4 months	4 months
5. Consistently communicate process changes and field information with staff (12 meetings per year)	actual	n/a	12	8	8	-----
	target	n/a	12 / year	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	4	4	4	-----
	target	n/a	4/year	4/year	4 / year	4 / year
<b>Goal # 2: Organizational restructuring of Parole Commission to maximize efficiencies</b>						
7. Conduct monthly internal reviews of new or changes to existing policies, forms or procedures (12 meetings per year)	actual	n/a	12	12	12	-----
	target	n/a	12 meetings annually	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	24	30	24	-----
	target	n/a	24 meetings annually	24 meetings annually	24 meetings annually	24 meetings annually
9. Commissioners' Status is Part Time	actual	n/a	Yes	Yes	Yes	-----
	target	n/a	Yes	Yes	Yes	Yes

Performance Measure		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
10. Average Days served per commissioner	actual	n/a	74	68	80	-----
	target	n/a	n/a	n/a	n/a	n/a
11. Policies and Procedures kept up-to-date	actual	n/a	Yes	Yes	Yes	-----
	target	n/a	Yes	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	2.5 yrs	2.7 yrs	2.1 yrs	2.2 yrs.	-----
	target	n/a	n/a	n/a	n/a	n/a
13. Offenders Paroled within 150% of their fixed sentence	actual	80.8%	85.3%	86.8%	88.2%	-----
	target	100%	100%	100%	100%	100%
Goal # 4: Increase transparency in Parole Commission functions						
14. Respond to public record requests promptly	actual	n/a	1	3	3	-----
	target	n/a	3 days	3 days	3 days	3 days
15. Timely response to offender appeals petitions	actual	n/a	6 weeks	6 weeks	6 weeks	-----
	target	n/a	6 weeks	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	1	1	1	-----
	target	n/a	1	1	1	1
17. Publish monthly and annual commission decision summaries (13 per year)	actual	n/a	13	13	13	-----
	target	n/a	13	13	13	13
18. Participate in events where there is opportunity to educate stakeholders on the Commission's mission.	actual	n/a	10	11	10	-----
	target	n/a	10 per year	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	1	1	1	-----
	target	n/a	Minimum of annually (1 per year)	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	100%	100%	100%	-----
	target	n/a	100%	100%	100%	100%
21. Collaborate with victim services providers and attend training	actual	n/a	6	6	6	-----
	target	n/a	6 per year	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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