

Department of Planning and Budget 2021 Fiscal Impact Statement

1. Bill Number: HB2011

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Campbell

3. Committee: Committee for Courts of Justice

4. Title: Parole; investigation prior to release; notice to victim.

5. Summary: The proposed legislation requires the Parole Board (Board) to contact all victims of a crime for which a prisoner is incarcerated and eligible for parole and notify them that they may request that the Board only notify the victim if, following its review, the Board is inclined to grant parole to the prisoner, in which case the victim shall have 45 days to present written or oral testimony for the Board's consideration. Under current law, the victim may request that the Board only notify the victim if, following its review, the Board is inclined to grant parole to the prisoner, but it does not require the Board to notify victims of such an option.

6. Budget Amendment Necessary: Yes, Item 429. The amended budget (HB1800/SB1100) includes funding and one position (\$61,065) in the second year in Item 429 to convert a part-time Victim Service Assistant to a full-time position.

7. Fiscal Impact Estimates: Preliminary (see Item 8 below).

8. Fiscal Implications: The bill requires the Board to contact all victims of a crime for which a prisoner is incarcerated and eligible for parole and notify them that they may request that the Board only notify the victim if, following its review, the Board is inclined to grant parole to the prisoner, in which case the victim shall have 45 days to present written or oral testimony for the Board's consideration.

The Board uses the Department of Corrections' Victim Information and Notification Everyday (VINE) system. VINE provides notification alerts to victims of an offender's custody change events, including release, transfer, escape, return, death, parole events, and notice prior to the offender's release date. The Board reports that while some victims are registered in VINE, many are not, and locating victims for whom contact information is not readily available or has not been updated in VINE, is a resource-intensive task. According to the Board, victim notification letters are sent to victims that are not registered in VINE or have elected to only be notified when the Board is likely to grant parole.

While the Board has one Victim Services Coordinator, partially funded by a federal grant, and one part-time Victim Services Assistant dedicated to this task, it has found it necessary to reassign other personnel in order to provide assistance with this workload. Furthermore, the

Board expects this workload to continue to increase as data from the Department of Corrections (DOC) indicates that an average of 305 additional offenders per year are due to become eligible for parole beginning in FY 2022 through FY 2026.

Item 429 in the Governor's proposed budget (HB1800/SB1100) includes \$61,065 in ongoing general fund resources to convert the existing Victim Services Assistant position to a full-time position, thereby providing additional resources to address the existing workload associated with locating and notifying victims. While the amended budget converts one part-time position to full-time, the Board believes that in order to expand its current efforts to reach all victims, it may need additional ongoing resources. Specifically, one additional full-time Victim Services Coordinator position would be necessary to support this ongoing effort, at an estimated annual cost of \$71,138 for salary and benefits. The Board also reports that locating victims who are more difficult to locate will also require a program subscription to LEXIS/NEXIS, which would provide computer assisted legal research and access to an electronic database for legal and public-records related information, to research and locate victims for notification. According to the Board, the subscription fee for this service is approximately \$24,000 per year (\$2,000 per month).

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.