

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: SB1361 ER

House of Origin Introduced Substitute Engrossed

Second House In Committee Substitute Enrolled

2. Patron: Morrissey

3. Committee: Passed both Houses

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 consideration of the prisoner's demonstrated rehabilitation, economic and educational development, commitment to prosocial behavior, and community and family supports.
- Requires that final discharges granted prior to the expiration of a period of parole must be granted only upon approval by a majority of Board members and requires the Board to publish an annual report regarding final discharges issued by the Board during the previous 12 months. The bill sets out specific information that the report must include.
- 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.
- Requires the Board to convene a public meeting, either in person or via video conference, when conducting the final deliberation and vote regarding whether the Board will grant parole to a prisoner. The prisoner being considered for parole, or his attorney must be permitted to attend such a meeting either, in the Board's discretion, in person or via video conference. It also provides that the victim attend and participate in such a meeting either, in the Board's discretion, in person or via video or phone conference or to provide written or recorded testimony.

- 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.
- Allows a victim of a crime for which the prisoner is incarcerated to present testimony via virtual means.

An enactment clause delays the effective date of this bill until July 2, 2024,

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final. 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.

The remaining provisions of this bill are expected to be met using existing Board resources. According to the Board, the number of video conferencing events that would be held is not known. Therefore, the costs, if any, are not known at this time.

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

10. Technical Amendment Necessary: No

11. Other Comments: None