

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. Senate Bill 968

PRINTER NO. 1480

AMOUNT

See Fiscal Impact

FUND

General Fund

DATE INTRODUCED

January 24, 2020

PRIME SPONSOR

Senator Browne

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 968 amends Title 42 (Judiciary and Judicial Procedure) and Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, consolidating certain functions, duties and powers of the Pennsylvania Department of Corrections (department) and the Pennsylvania Board of Probation and Parole (board). The legislation provides for an independent Pennsylvania Parole Board with a separate line item appropriation.

This legislation consolidates overlapping duties of the Department of Corrections and The Pennsylvania Board of Probation and Parole and provides for all of the following:

- Changes the name of "The Pennsylvania Board of Probation and Parole" to "The Pennsylvania Parole Board" (board);
- Defines the board as an independent administrative board for the purpose of granting and revoking paroles to certain offenders within this Commonwealth;
- The board shall function independently of the department regarding all of the board's decision-making functions, as well as any other powers and duties specified in Title 61;
- One or more members of the board may attend and participate in any meeting via videoconferencing or similar virtual presence technology;
- Two-person panels may make decisions on parole, reparole, return or revocation. A panel may meet and take action via videoconferencing or similar virtual presence technology, with the exception of in-person testimony pursuant to the Crime Victims Act;
- The structure of the board and appointment of members remains the same. The board will appoint the secretary of the board and sufficient hearing examiners to conduct the required hearings. Legal counsel for the board shall be appointed in accordance with the Commonwealth Attorneys Act;
- The department shall provide offices for the board;
- The board has the power to establish special conditions of supervision for paroled offenders. Conditions of supervision must be based on the risk presented by and the rehabilitative needs of the offender;
- The board has the power to promulgate regulations establishing general conditions of supervision applicable to every paroled offender;

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- The time period to be served when an offender is recommitted to a state correctional institution shall be computed by the board;
- Requires notification to victims and family members and the board by the Office of Victim Advocate;
- Transfers powers of the board to supervise offenders to the department and provides that the first and foremost duty of the department shall be to protect the safety of the public when supervising offenders;
- Declares agents as peace officers with police power and authority throughout the Commonwealth to arrest without warrant any department-supervised offender for failing to report as required or for any other violation of his conditions of supervision;
- Duties related to compiling statistical data regarding offenders on probation or parole and establishment of statewide standards for supervision are transferred from the board to the department;
- Adds "parole violator center" to the list of facilities where a technical parole violator can be sent. This term is defined as "an area within the secure perimeter or on the grounds of a state correctional institution or any contracted facility or contracted county jail that has been designated to house offenders detained or recommitted by the board for a technical parole violation; and
- The appropriation for the board must be in a separate line item.

This act shall take effect immediately.

FISCAL IMPACT:

Many of the requirements of SB 968 have already been implemented as a result of a Memorandum of Understanding (MOU) between the department and the board.

The intent of this legislation is to statutorily merge the department and the board in order to provide a permanent reliable infrastructure and resolve employment, appropriations and fiscal-related issues. Currently, some efficiencies cannot be accomplished due to certain bargaining agreement restraints.

The Commonwealth has already achieved \$10 million in savings as a result of the MOU and is on track to save an additional \$10 million from the current fiscal year through Fiscal Year 2021-22.

According to the department, the consolidation has provided improved treatment and caseload management, improved public safety, reduced costs and improved accountability.

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Specifically, the merger would create cost savings as follows:

- An overall reduction in parole violators;
- A population reduction in Parole Violator Centers (PVC);
- Combine Management Operation Centers (MOC) (both agencies currently operate their own 24/7 operations centers);
- Transportation – A reduction in overtime due to the need for inmates to be transported only by correctional officers and parole violators to be transported only by state field supervision staff;
- Weapon conversions – All correctional officers and state field supervision staff will transition into utilizing the same type and caliber weapon (9mm) which will create a cost savings on ammunition;
- SIP Phase 3 – Allows for SIP Phase 3 participants on GPS rather than Community Corrections Centers;
- Training – Use of outside firing ranges and combining training mats for training correctional officers and state field supervision staff; and
- JRI-2 Implementation – Enacted on December 18, 2019. Projected to reduce the inmate population by an additional 638 inmates by June 2024.

The chart below illustrates the actual and projected savings from the merger.

Merger Savings Summary					
	Actual	Actual	Projected	Projected	Projected
	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Fewer PVs (Overall)	\$480,000	\$1,920,000	\$57,600	\$59,328	\$61,108
PVC Pop Reduction	\$590,000	\$2,360,000	\$70,800	\$72,924	\$75,112
Combine MOC			\$1,200,000	\$36,000	\$37,080
Transportation *			\$3,400,000	\$102,000	\$105,060
Weapons Conversion**			\$6,000	\$6,000	\$6,000
SIP Phase 3	\$900,000	\$3,600,000	\$108,000	\$111,240	\$114,577
SIP Furloughs			\$30,000	\$60,000	
Organizational Chart Update			\$400,000		
Training	\$3,016	\$15,112	\$3,106	\$3,200	\$3,296
Inc. in Successful Parole			\$1,402,933	\$140,293	\$154,323
Centralized Referrals			\$400,000	\$800,000	\$960,000
Merger Savings Total	\$1,973,016	\$7,895,112	\$7,078,439	\$1,390,985	\$1,516,556
*Estimates are based on cutting transportation OT hours by 50%					
**Weapons conversion will save \$256K thereafter					