

Colorado Legislative Council Staff Fiscal Note

**FINAL
FISCAL NOTE**

Drafting Number: LLS 15-0052
Prime Sponsor(s): Rep. Fields
 Sen. Cooke

Date: May 28, 2015
Bill Status: Signed into Law
Fiscal Analyst: Kerry White (303-866-3469)

BILL TOPIC: PAROLE APPLICATION AND REVOCATION

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017
State Revenue		
State Expenditures	Potential increase and potential decrease. See State Expenditures section.	
FTE Position Change		
Appropriation Required: None.		

* This summary shows changes from current law under the bill for each fiscal year.

Summary of Legislation

This bill clarifies procedures regarding parole for offenders under the supervision of the Department of Corrections (DOC) to align statute with current DOC practice. Specifically, the bill clarifies that an offender is ineligible for parole if he or she has:

- been convicted of a class 1 code of penal discipline violation within the preceding 12 months; or
- declined in writing to participate in programs related to the original crime within the preceding 12 months.

If two schedules with different parole application hearing dates exist, the State Board of Parole (board) is to follow the schedule with the later date. It clarifies that for certain serious offenses, such as habitual criminal or specified sex offenses, the board is only required to hold a parole hearing once every three years. That requirement is extended to once every five years for offenders serving a sentence for a class 1 or class 2 felony crime of violence. The board is required to provide victim notification for all parole application hearings for which the offender is eligible for parole.

The bill also modifies certain provisions regarding revocation of parole. At a parolee's request, the board may revoke his or her parole under the conditions provided for within current law. The board may also conduct a parole release review in lieu of a hearing if the inmate has a statutory discharge date or mandatory release date within six months after his or her next ordinarily scheduled parole hearing and victim notification is not required.

State Expenditures

The majority of this bill's provisions codify current practice.

However, this bill may increase state expenditures within the DOC as a result of the provisions that allow the board to retain custody of a self-revoking parolee. As of this writing no data on the exact number or original sentence lengths of self-revoking parolees was available. Based on available data, the number of self-revoking parolees is assumed to be low and the length of stay for a self-revocation is assumed to be less than 180 days. This analysis assumes that to the extent the board decides to extend the amount of time a self-revoking parolee is held within custody, costs will increase. For informational purposes, offenders placed in a private contract prison cost the state about \$60.46 per offender per day, including the current daily rate of \$55.08 and an estimated \$5.38 per offender per day for medical care provided by the DOC. The fiscal note assumes that the DOC will request any required increase in appropriations through the annual budget process.

The bill may also decrease workload and costs for the board by allowing for a parole release review to occur instead of a hearing for certain cases.

Effective Date

The bill was signed into law by the Governor and took effect on March 20, 2015.

State and Local Government Contacts

Corrections