

William W. Muse, Chairman
Virginia Parole Board
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Parole Board Report to Senate Finance Committee

Virginia Parole Board

- The goal of the Parole Board is to release to Parole, those eligible offenders deemed suitable for release and whose release will be compatible with the welfare of society and the offender.
- The Parole Board consists of 2 full-time and 3 part-time members.

Primary Duties

- Discretionary Parole
- Geriatric Release
- Pardons/Clemencies
- Revocations
- Three-time Loser Appeals

Discretionary Parole

- Offenders eligible for parole consideration:
 - Those who committed crimes before January 1, 1995
 - Those with multiple misdemeanors committed before July 1, 2008
 - Those sentenced to indeterminate sentences under the Youthful Offender Act.

Discretionary Parole

- TODAY, Approximately 4,309 ELIGIBLE
- PROJECTED, Approximately 6,800 in 2016

Discretionary Parole Eligibility Date	FY2010 SR Confined	
	No.	% of PE
Through FY2010	4,309	63%
FY2011	512	8%
FY2012	342	5%
FY2013	251	4%
FY2014	194	3%
FY2015	169	3%
After FY2015	1,028	15%
	6,805	

FY2010 Parole Eligible (PE) Population

- 11% of the SR Confined Population is currently PE
- Another 7% of the SR Confined Population will become PE in the future
- Among those currently PE
 - Average age is 47 years
 - 92% are considered violent under §17.1-805
 - Most common offense is 1st Degree Homicide (27%), followed by Rape/Sexual Assault (18%)

Geriatric Release

- Inmates who reach age 60 and have served at least 10 years, or
- Reach age 65 and have served at least 5 years are eligible for parole consideration regardless of the date of their offense
- However, a qualified inmate must request consideration by the Board as it is not automatic.

Geriatric Release Eligibility of SR Confined Population as of June 30, 2010

Geriatric Consideration Eligibility Date	Currently Geriatric Eligible		Currently Parole Eligible	
	Cumulative #	% of SR	Cumulative #	% of SR
Through FY2010	666	2%	431	1%
FY2011	808	2%	499	1%
FY2012	993	3%	572	2%
FY2013	1,174	3%	651	2%
FY2014	1,393	4%	733	2%
FY2015	1,581	4%	835	2%
After FY2015	6,986	18%	2,610	7%
	13,601	36%	6,331	17%

Pardons/Clemencies

- The Board investigates and recommends to Governor
 - Simple Pardons ----- Official Forgiveness
 - Absolute Pardons ----- Innocent
 - Conditional Pardons ----- Equivalent to Parole
 - Medical Clemencies ----- Within 90 Days of Death
- Approximately 700 per year, but rapidly increasing

Revocations

- Parole/Post release supervision violations
 - Offender violates conditions of supervision
 - Board reviews case
 - Board vote taken
 - Recommendation of continue on parole or revocation of parole
 - Approximately 300 cases per year

HB1064 & SB290 - Conditional release of geriatric prisoners

Removes the petition requirement for the Parole Board to consider a geriatric release

- **Impact** – would increase VPB offender review workload
 - Currently VPB only reviews those offenders who meet the Geriatric Release eligibility criteria (1. no Class 1 Felonies AND 2. Age 60+ and has served 10+ years OR Age 65+ and has served 5+ years) *who have applied for Geriatric Release* (144 applications in FY2011)
 - Legislation would remove application requirement so that ALL offenders who meet the Geriatric Release eligibility criteria would now be reviewed by VPB automatically

Geriatric Release Eligibility of SR Confined Population as of June 30, 2010

Geriatric Release Eligibility Date	Cumulative #
Through FY2010	666
FY2011	808
FY2012	993
FY2013	1,174
FY2014	1,393
FY2015	1,581
After FY2015	6,986

- **HB1064 Status** – in Committee on Militia, Police & Public Safety
- **SB290 Status** – in Committee on Rehabilitation & Social Services

HB165 - Conditional release of geriatric prisoners

Removes the length of stay requirement and one age requirement before prisoners can apply to VPB for geriatric release

- **Impact** – would increase VPB offender review workload
 - Currently VPB only reviews those offenders who meet the Geriatric Release eligibility criteria (1. no Class 1 Felonies AND 2. Age 60+ and has served 10+ years OR Age 65+ and has served 5+ years) who have applied for Geriatric Release (144 applications in FY2011)
 - Legislation would remove both the 10 year and 5 year time served requirements and the Age 65+ requirement so that ALL offenders Age 60+ with no Class 1 Felonies can apply to VPB for Geriatric Release regardless of how much time the offender has served

Proposed HB165 Impact

(Additional cumulative inmates eligible for consideration for Geriatric Release by VPB)

Geriatric Release Eligibility Date	Cumulative #
Through FY2010	1,229
FY2011	1,423
FY2012	1,626
FY2013	1,818
FY2014	2,035
FY2015	2,234
After FY2015	9,166

- **HB165 Status** – in Committee on Militia, Police & Public Safety (Subcommittee #2)

HB435 - Juveniles imprisoned for felony offense eligible for parole

Provides that any person sentenced to a term of imprisonment upon conviction of a felony offense who was a juvenile at the time of the commission of the offense is eligible for parole.

- **Impact** - would increase VPB offender review workload
 - At least an additional 1,108 SR offenders would become eligible for parole consideration
 - Another 759 SR offenders could also be eligible (HB435 does not exclude offenders who committed offenses both before and after Age 18)

SR Confined Population as of June 30, 2011

Age When Offenses Committed*	Total SR
Offenses Before Age 18 ONLY	1,325
Offenses Before AND On/After Age 18	1,192
Total	2,517

*Age of an offender when he committed the offenses for which he is currently incarcerated; this is NOT necessarily an offender's current age on 6/30/2011 or an offender's age at conviction

**Indicates whether or not an offender has one or more sentences that make the offender eligible for parole consideration by the VPB now or in the future; these offenders may or may not already be past their Discretionary Parole Eligibility Date

- **HB435 Status** – in Committee on Militia, Police & Public Safety (Subcommittee #2)