

DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or library@lcb.state.nv.us.

PAROLE AND PROBATION

AUTHORITY:

NRS Chapters: 176 AND 176A; 213; & 209

PURPOSE: The Division of Parole and Probation is responsible for the community supervision of probationers, parolees, and special program inmates which entails both law enforcement and case management duties. The Division conducts investigations of persons convicted of felony or gross misdemeanor offenses and makes sentencing recommendations to the District Court Judges.

BUDGET:	<u>FISCAL YEAR</u>	<u>BUDGET</u> (Governor Recommended)
	2004:	\$34,337,382
	2005:	\$35,101,607

FUNDING: General Fund + Supervision Fee (Client Charges) collected from offenders at \$30 per month.

WHAT WE DO:

- ✓ Conduct Pre-Sentence Investigations and make sentence recommendations to the District Courts of Nevada
- ✓ Monitor and enforce offender compliance with conditions of their community supervision while on parole, probation or as an inmate on residential confinement or assigned to the Drug Court Program in Reno and Vegas
- ✓ Assist offenders in successfully re-integrating into society
- ✓ Collect restitution and disburse monies received to victims of crime
- ✓ Conduct Pardons Investigations, Pre-Parole and Incoming Interstate Compact Investigations to ensure appropriate community placement for offenders

ORGANIZATION OF THE DIVISION:

The Division of Parole and Probation falls under the Executive Branch and is a Division within the Department of Public Safety, Richard Kirkland is the Director.

The organization of the Division reflects the geographical characteristics of the state. The Division has thirteen offices located throughout the state, with its central administration office located in Carson City. The Division recently closed two offices, our Court Services office in Las Vegas and the Minden Sub-Office, as part of the 3% budget reductions in FY03. The Division operates four primary district headquarters in Carson City, Elko, Las Vegas and Reno. The two urban offices, Reno and Las Vegas, account for 80% of the Division's Workload. The rural offices, while accounting for 20% of the workload, are responsible for coverage of 87,699 square miles, or 75% of the state's geography.

EXHIBIT R Senate Committee on Finance

Date: 1/29/03 Page 1 of 8

STAFFING CHANGES AND COST SAVINGS:

The Division has continued to pursue reclassification of sworn positions assigned to Court Services functions, to civilian positions. Initially, the Division was authorized to 3 positions in Reno and 4 in Las Vegas and, because of the success of that pilot project, the Division has successfully reclassified 27 sworn officer positions that are now occupied by civilian personnel. We have another 19 that have been re-classified, but are still occupied by sworn staff leaving a balance of 3 positions that will be re-classified. The total number of sworn positions for reclassification is 49.

So far, the salary savings are as follows:

CURRENT COST SAVINGS:	27 POSITIONS:	\$162,752 Annually
PROJECTED SAVINGS:	22 Positions:	182,613 Annually
TOTAL:	49 Positions:	295,365 Annually

OVERTIME COMPARISON:

The Division continues to closely monitor overtime use and costs and, as shown in the Overtime Cost Comparison graph, we have successfully reduced overtime costs by 31% (projected out for FY03).

MAJOR PROGRAMS:

- The men and women of P&P are dedicated to serving and protecting the citizens of Nevada, monitoring the behavior and enforcing conditions and rules of over 16,000 offenders.
- Programs range from
 - Regular Supervision, Intensive Supervision and House Arrest, Specialized Sex Offender Caseloads, and
 - Civilian Staffed Caseloads for Parolees and Probationers Who Are Incarcerated in Nevada and Other Jurisdictions, or Transferred to Other States and Fugitives.
 - The Division Also Conducts Investigations and Prepares Comprehensive Pre-sentence Investigation Reports and Sentencing Recommendations to the District Courts

CASELOADS FOR CURRENT BIENNIUM:

Officer-to-Offender ratios are still holding steady, given the Division has experienced modest growth (only 1.3% overall growth this biennium) and turnover of sworn officers has been relatively low.

The following table illustrates the Division's staffing levels for all major programs, which are calculated from our officer and staffing activity reports as of 12/01/2002:

PROGRAM	WORK UNITS	AUTHORIZED POSITIONS	ACTUAL STAFFING	OFFICER-TO-OFFENDER RATIO	AUTH RATIOS	AUTH CASELOAD LEVELS VS. ACTUAL
REG SUP	10791	138	132	82:1	70:1	17% Over
SEX	653	13	16	41:1	45:1	10% Under
ISU/RC	660	41	21	31:1	30:1	3% Over
COURT SVCS	3846	57	54	71:1	64:1	10% Over

CENTRAL OFFICE

FAU	2769	11	11	252:1	250:1	At Auth Level
PRE-REL	1251	5	4	313:1	250:1	20% Over
INTERSTATE	1887	11	10	188:1	250:1	33% Under

INTERSTATE COMPACT:

In addition to those offenders who are supervised in Nevada, on average, there are approximately 1,900 offenders who are transferred to other states under the terms and conditions of the Interstate Compact Agreement for the Supervision of Parolees and Probationers. Nevada actually exports more offenders than it imports via the Interstate Compact. On average, we supervise approximately 900 offenders who have transferred to Nevada from other States.

In June 2002, the "New" Interstate Compact was ratified, which will improve the oversight and administration of this nationwide program.

The problems under the old Compact:

- States were ignoring established transfer and acceptance criteria following several high profile compact cases that resulted in violence
- By executive order or passage of legislation, states were creating state-by-state legal restrictions that were inconsistent with one another and with rules of the Interstate Compact Agreement
- Congress was conducting hearings regarding problems associated with interstate movement of parolees and probationers
- Parole and probation managers and executives were concerned that the compact would completely fall apart or that Congress would remove from states the authority to manage this function

New Compact Resulted in the Creation of an Interstate Commission to:

- Establish uniform procedures to manage the movement of parolees and probationers between states
- Promulgate rules to achieve the purpose of this compact
- Ensure an opportunity for input and timely notice to victims and to jurisdictions where defined offenders are authorized to travel or relocate across state lines
- Establish a system of uniform data collection, provide access to information on active cases and coordinate regular reporting of Compact activities
- Monitor the compliance with rules governing interstate movement of offenders
- Initiate interventions to address and correct noncompliance; and coordinate training and education regarding regulations of interstate movement of offenders for officials involved

The annual dues for the state of Nevada is \$25,000 which was approved last legislature and is due on July 1, 2003. The Division requested the approved funding from the Interim Finance Committee on Nov. 21, 2002 and was advised to request the funding from the reserve rather than the contingency fund. The Division has requested the funds and provided requested billing information to the budget division.

OFFENDER SUCCESS RATES:

Successful exits from parole and probation supervision remains relatively constant, and reflect the hard work of Division officers and civilian personnel who monitor and enforce compliance with the conditions of supervision. A successful exit means the offender did not return to incarceration, but instead discharged their supervision and remained in the community. According to the Bureau of Justice Statistics (BJS), in 2001, the national average for successful probation completions was 62% and for parole 46%. The percentage of successful exits of probationers and parolees in Nevada is 8% and 28% higher, respectively, than the national average reported in the 2001 BJS report.

RESTITUTION:

Victim restitution collections continue to increase significantly over prior years. In FY01, the Division exceeded planned restitution collections by 24% and in FY02, collections exceeded planned by 47%. As of January 1, 2003, the Division reached collections that were 48% over projections, and exceeded our performance during this same reporting period last year by more than \$200,000, a 11% improvement.

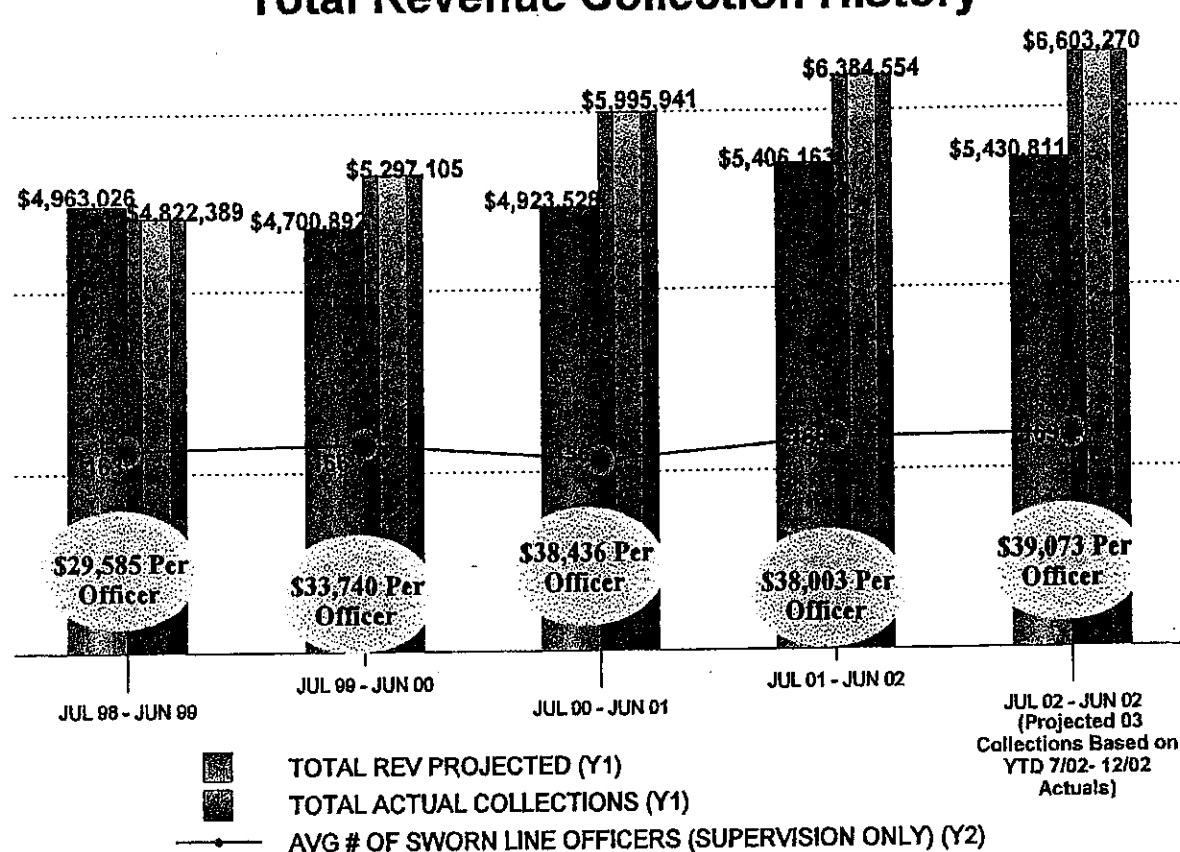
SUPERVISION FEE COLLECTIONS:

In addition to collecting monies for victims of crime, the Division collects fees from offenders (\$30 per month) to defray the cost of supervision. The budget office determines and sets the dollar amount that must be collected each biennium, which becomes part of the Division's general budget revenue. It is not uncommon to fall short of this expected collection and, historically, the Division has been able to off-set any deficits using salary savings. However, given the 3% budget cuts, lack of funding for pay increases, etc. the Division is not able to off-set the shortfall in supervision fee collections this fiscal year.

Administration has sent notice to all officer staff to increase emphasis on collection of fees; however, we do not anticipate full recovery by July 2003. As of January 1, 2003, the Division was 6% under the projected collections, but had an overall improvement over collections during the same reporting period last year of 3%.

Although the Division is currently projecting a deficit in the collection of supervision fees in FY03, in reality revenue collections overall (combining restitution and supervision fees) have increased substantially over the past two years, in spite of staffing vacancies and a nationwide economic down-turn. The Division has placed an important emphasis on the collections of restitution over the past two years. Recently, however notice has also been given to officers of the importance of supervision fee collections. The following graph illustrates the ratio of revenue collections per officer for supervision fees and restitution:

Total Revenue Collection History



FY2003 BUDGET OVERVIEW AND SUMMARY

With the continuing economic down-turn and lack of available State revenues, General Fund state agencies were required to make 3% budget cuts in the FY03 budget. The following chart illustrates the Division's budget reductions for FY03:

DIVISION OF PAROLE AND PROBATION BUDGET ACCOUNT 3740	
PROGRAM	AMOUNT CUT/SAVED
Building Security One-Shot	\$65,869
Reverted 4 Positions (8/14/2002)	\$130,901
Rent Savings	\$168,025
Other Savings (Categories: Out-of State Travel; Operating; Parolee Loans; Staff Physicals; Community Programs in Reno; Training; Residential Confinement; Communications on High Band Radios; In-State Travel; NHP Dispatch Services; Return of Violators; & Drug Tests)	\$536,888
TOTAL BUDGET CUT FY03 (3%)	\$901,683

The most significant affects to Division operations resulting from the required budget reductions, include:

- Parole & Probation Returns: Budget Category 16 - This category was originally budgeted for \$104,071. This amount was reduced by \$46,008 leaving a balance of \$53,063. These funds are utilized to return offenders that have either absconded supervision and a warrant issued for their arrest, or are offenders residing in other states via the Interstate Compact and have violated the conditions of their supervision.

The Division then administratively reviewed each case for return and prioritized those that were returned based on their risk (violent and sex offenders), and whether they were being supervised in other states under the Interstate Compact Agreement.

In November 2002, these funds were exhausted and the Division requested \$50,000 from the contingency fund, to continue returning offenders. The contingency fund appropriated \$25,000 to the Division. The Division then had to further restrict the criteria of those offenders that would be returned to only violent and sex offenders. Those funds are now being depleted and another request has been submitted for funding from the contingency fund.

- Community Alternative Program in Reno - Category 23: This category was budgeted for \$10,000 and all was reverted as part of the 3% budget cuts. This funding supported referrals of offenders assigned to perform community service as part of their probation conditions. The Division is no longer making recommendations for this condition.
- Buildings/Leases Category 04: Termination of the lease on the Las Vegas "Phoenix" office that housed the 50 Court Services staff. The staff were relocated to the already stressed main office at 215 E. Bonanza. Staff are doubled up in single offices where available, and all other available space including training/conference room and storage rooms are now staff offices. Minden Sub-Office closed and staff re-located to Carson field office. Overall, the savings realized by closing these two offices was a total of \$168,025 (November 2003 to June 2003).

CATEGORY 01:

In FY03, the Division is projecting a \$173,372 shortfall in Category 01, Personnel. The Division is working with Budget to resolve this deficit prior to July 1, 2003.

REVENUE:

The Division is projecting a shortfall in client charges (supervision fees) of approximately \$215,000 (based on collections as of December 30, 2002) in FY03. The FY03 Budget projected that the Division would collect \$2,941,855 in client charges. Historically, when the Division has not met the required amount, (as projected by Budget), the balance has been made up through salary savings or other Division general fund allocations; however, the shortfall will not be absorbed due to the reduced funding in salary adjustments allocated in FY03. The Division has initiated a vigorous campaign to increase supervision fee collections to strive for decreasing the projected shortfall.

OVERVIEW OF 04/05 BIENNIAL BUDGET REQUEST

The substantially reduced revenues of the State forced a continuation of the 3% budget reduction on General Fund agencies to balance the State Budget for FY04/05. We prioritized and evaluated our legal mandates and central core responsibilities and made reductions in various budget categories to meet the needs of the State. Reductions to our budget were realized starting in September, 2002. We are readjusting and focusing our resources to cover the higher than average support/civilian staff vacancies and have realized a reduction in support services statewide. However, given the relatively low overall anticipated growth, the Division is submitting our FY04/05 Biennial Budget in accordance with that recommended by the Governor.

NEW PROGRAMS:

The recommended FY4/05 budget for the Division includes \$525,000 in funding for the Second Judicial District and Eighth Judicial District Drug Court Program. This is funding provided for and approved in the last Legislature, was administered by the Department of Administration and is now being moved to our budget. The Drug Court Programs are court supervised, comprehensive treatment programs for drug dependant adult offenders. It provides comprehensive supervision, drug testing, treatment services, intermediate sanctions and incentives. This program includes offenders on parole and probation, and inmates released to drug court for treatment.