

## Discussion Points

### STATE PAROLE BOARD

13. The enacted FY 2007 budget anticipated savings from management efficiencies (\$50 million), information technology efficiencies (\$20 million) and procurement efficiencies (\$15 million). These savings, while reflected in the Interdepartmental Accounts section of the budget, were to be obtained from executive agency budgeted appropriations, presumably in direct correlation with identified efficiency improvements.

*Question:* What amount of the Parole Board's original FY 2007 appropriations were reallocated to Interdepartmental Accounts as savings from management efficiencies, information technology efficiencies and procurement efficiencies, respectively? What specific efficiencies were achieved by the department that correlate to the reallocations? What adverse impacts, if any on the output and outcomes of parole programs and services resulted or will result from these funding reallocations, in the current fiscal year and as projected for FY 2008?

**Answer:**

In the early part of FY 2007, the Parole Board was allocated \$3,495,000 of the Interdepartmental reductions for management efficiencies, information technology efficiencies and procurement efficiencies. These reductions entirely offset our anticipated \$3,403,000 in FY 2007 Salary Program funding, which normally would have been made available at the end of the year to defray costs of across the board increases in negotiated wage rates and annual anniversary date step increases. For FY 2008, our base salary appropriation has been reduced by a total of \$232,000, reflecting continuation of the FY 2007 efficiencies.

Reflecting the State's difficult budgetary situation, we took a thorough look at our entire operation and found essential expenses that could be deferred at least for FY 2007, with no noticeable public safety impact. Such expenses include limiting the replacement of equipment, restricting backfills of positions vacated through retirement or other separations, and phased implementation of services. Agency-wide controls on spending were implemented, requiring additional levels of review for all purchases, curtailment or substitution of in-service programs for non-mandatory training, and caps on some contracted activities. Our civilian and sworn law enforcement workforce was reduced from 776 budgeted State positions in FY 2006 to 750 positions as of July 1, 2007. The interdepartmental reductions in salary accounts, when added to previous management efficiencies, required us to further reduce our workforce to 726 positions for FY 2007 and an anticipated 719 in FY

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2008. New non-State funding has been obtained to support 2 additional positions in FY 2008, which will allow us to increase the workforce to 721 persons.

In addition to seeking administrative efficiencies within our own operations, the State Parole Board launched a pilot program to streamline the county parole process and address longstanding concerns about backlogs. The pilot program gives county inmates the ability to voluntarily waive their initial Parole hearing, which is held with a Hearing Officer, and gives inmates the right to a one-hearing Parole process. These changes have eliminated the waiting period that previously passed between the initial and final panel hearings. As a result, the Parole Board is able to hold hearings for county inmates 20 days earlier, on average.

By most measures, the pilot program has been a success. The Parole Board is continuing to monitor the impact and efficacy of this program.

The FY 2008 budget will allow us to hire one new class of officers in January 2008. These new law enforcement officers are essential for two important reasons. First, the number of offenders on parole has tended to stay stable from year to year, but we continue to lose officers due to attrition. During FY 2008 we expect to lose almost 10 percent of our law enforcement workforce, mainly through retirements. Second, our caseload is expected to grow by about 300 cases in FY2008 and each subsequent year, as a result of statutory requirements for lifetime supervision of sex offenders.

Deferral of equipment purchases presents an additional challenge in maintaining supervision of a growing caseload. Our fleet of police and civilian vehicles is aging and requires replacement. We have been losing, on average, one vehicle every month through failures and accident damage. While our policy is to keep high mileage vehicles on the road as long as possible, this is not sustainable over the long-run, as repairs to older vehicles are generally not feasible or are cost prohibitive. Maintaining undependable police cars on the roads also creates additional risk for our officers, who need to rely upon them in performing their duties.

SPB has also deferred replacement of critical and failing computer network equipment. Over the past 5 years, our agency has computerized virtually all aspects of our operation, including releases to parole, supervision of cases by officers, community program activities, violations of imposed conditions, and revocation of parole. Our new Evidence Based Practices approach to parole supervision requires officers to use all available information in managing their cases. Many of our police vehicles now have mobile terminals that access our computerized case management system, and our 12 District Offices are also connected to this centralized network. Our FY 2007 IT Strategic Plan, developed in conjunction with the State Office of Information Technology (OIT), called attention to the need to maintain 24/7 operation of our network servers and communications equipment, to

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maintain adequate infrastructure, and to ensure reliable backups and connectivity between all 28 SPB locations. Failure to replace aging and failing computer systems could have a serious impact upon agency operations and our ability to protect the public.

14. P.L.2005, c.189, the "Sex Offender Monitoring Pilot Project Act", established a two-year pilot program for the satellite-based monitoring of certain sex offenders. The statute authorizes the Parole Board to use both "active" monitoring which continuously tracks and transmits the offender's movements to a central station and "passive" monitoring which is downloaded from the offender's tracking device at the end of each day to the central station. The program is anticipated to expire on August 11, 2007. The FY 2008 budget recommends full-year funding totaling \$2.37 million, \$628,000 less than the amount appropriated in FY 2007. Evaluation data estimates that the program will serve 250 parolees, the same number served in FY 2007.

*Question:* Please evaluate the success of the pilot program. If the program is not continued beyond the August 11, 2007 official end date, what are the department's plans for monitoring this population after the program's end? What explains the difference in FY 2007 and FY 2008 funding for the program since it is projected to serve the same number of parolees in both years?

**Answer:**

The Parole Board began GPS monitoring of Tier III sex offenders in October 2005 under the "Sex Offender Monitoring Pilot Project Act." As enacted, the statute was retroactive in calling for all Tier III sex offenders who were not in jail, prison or subject to civil commitment to be monitored. As of April 12, 2007, the Parole Board had identified 238 Tier III sex offenders, who are either currently under GPS monitoring, or are incarcerated, civilly committed, or missing but presumed to still be in New Jersey. The GPS Caseload, as of that date, was comprised of 133 Tier III and 14 Tier II, Tier I, and untiered cases under active monitoring.

The Parole Board's efforts during the first fifteen months of the program have focused on cooperating with the Attorney General's Office, State Police and the twenty-one County Prosecutors to assure that each Tier III sex offender was identified, located and notified of their obligations under the statute. In the case of Tier III sex offenders who could not be located, requests were made by the Parole Board to the appropriate County Prosecutors to assure that arrest warrants and wanted person bulletins were issued.

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As Tier III sex offenders were located and notified, they were enrolled in the program using active GPS monitoring equipment. Having heard the preferences expressed by the legislature and examined the operational limitations of both passive and active GPS monitoring, the Parole Board reached a decision in October 2005 that only active GPS monitoring equipment would be used. Since the statute directed that the Parole Board investigate and respond to all program violations immediately and at all times, the agency found the use of passive GPS monitoring equipment to be unacceptable, as these devices would only report violations once per day and not necessarily at a time contemporaneous to the violation.

As of December 2006, all Tier III sex offenders who were available to be monitored (i.e., not incarcerated, committed or missing) had been enrolled in the program and were under active GPS monitoring. Since the enactment of the statute, twenty-three Tier III sex offenders have left New Jersey and changed their declared residency to other states. Twenty-two Tier III sex offenders have died and twenty-one have had their Tier lowered and are no longer subject to GPS monitoring. Nine sex offenders have been arrested by Parole Board Officers and charged with violating the "Sex Offender Monitoring Pilot Project Act."

The "Sex Offender Monitoring Pilot Project Act" empowers the Parole Board to monitor up to 250 sex offenders who fit the statutory criteria to be subjected to GPS monitoring. The statute also empowers the Chairman of the Board to include certain sex offenders as discretionary cases. The Parole Board continuously reviews the history and behavior of sex offenders who are already under agency supervision, and as of April 12, 2007 the Chairman had selected fourteen of those sex offenders as discretionary GPS monitoring cases. These offenders are currently enrolled in the program.

Eighty-three of the 133 Tier III sex offenders under GPS monitoring were not under Parole Board supervision prior to the enactment of the "Sex Offender Monitoring Pilot Project Act"; as a result, if the statute expired, the Parole Board would have no legal right or obligation to supervise or monitor these sex offenders. Instead, they would be discharged from their obligations by the agency. The remainder of the Tier III sex offenders and discretionary cases under GPS monitoring would continue under Parole Board supervision at various levels of supervision commensurate with their supervision type, level of risk and given available agency resources.

The requested FY 2008 appropriation of \$2,372,000 is for one year, whereas the FY 2007 amount reflected continuation of a two-year appropriation originally intended to cover a phase in of GPS monitoring operations. If the program continues beyond August 2007, the Parole Board will continue to enroll Tier III sex offenders as they become available to be monitored. The remainder of the 250 GPS monitoring slots will be filled with discretionary cases during FY 2008.

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15. While the Department of Corrections is responsible for providing medical services to each of its inmates while they remain incarcerated, many of these inmates may be in need of continuing medical care upon release into the community.

• Question: How does the State Parole Board assist parolees in obtaining continuing medical services after release from prison?

The provision of medical services to parolees is one of enormous concern to our agency. As correctly noted, the change from inmate to parolee discontinues any service provision at the moment of release. Currently we depend on the proper identification of inmates with medical issues by DOC and their contractor, CMS, upon discharge. When working properly, that process includes post release referrals for service and a 2-week supply of medications.

The process above applies only to those parolees with pre-existing conditions that were being treated by DOC/CMS while inmates and does not include any mechanism for payment for post release medical services. Upon release back into their respective communities, parolees currently become part of the growing population of New Jersey citizens without medical coverage.

For those parolees under general field supervision, the primary care givers for medical services will be the local Emergency Room, neighborhood clinic, or family physician. Payment falls directly upon the parolee and/or their family support system. All parolees, as a matter of course, are encouraged to apply immediately upon release with their local social service/welfare agency for determination of benefits. It should be noted that a significant portion of our population is denied coverage for public benefit programs due to conviction for a controlled dangerous substance offense.

The Parole Board takes a more active role in medical service provision for those parolees residing within our Community Programs Division residential facilities. These contracted facilities have varying degrees of in house medical staffing and hours of medical oversight. Both as an agency and through these same contractors, the Parole Board has been able to establish relationships with individual Federally Qualified Health Centers, hospitals, and referral services over the past 4 years.

Under the current arrangement, payment for medical services is not the responsibility of the contract provider or NJSPB. In essence, 'charity care' is the basic currency for payment of service.

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SPB does not seek, and is not granted, expedited service provision for parolees, except in emergency situation; rather, parolees are placed on waiting lists when appropriate and given appointments in their order of referral.

Currently, NJSPB has no contracts for medical service insurance/provision for our population. Existing grant-in-aid appropriations are specific in purpose, and additional State funding for medical services has not yet been identified. In the interim, and as a stopgap measure, SPB has continued to submit grant applications for exploratory pilot programs to provide limited medical services through various sources

With the new Reentry Case Management Services funding first made available by the Legislature in FY 2006, the SPB has implemented a successful pilot program in Camden, called P.R.O.M.I.S.E. (Program for Returning Offenders with Mental Illness Safely and Effectively) that deals specifically with a limited number of parolees with mental health/DSM IV, diagnosis.

16. Offenders released from correctional facilities face a number of obstacles to finding gainful employment within the community in which they live. Assembly Bill No. 3623 of 2006 would establish a certificate of rehabilitation for certain convicted offenders to assist them in procuring public or private employment from which they would otherwise be barred because of their conviction.

*Question:* What procedures does the State Parole Board currently have in place to assist parolees in finding employment opportunities?

The NJ State Parole Board recognizes that the issue of employment for the parolees returning from state prison is not just a criminal justice concern; it is an economic, social and community issue as well.

Upon release from DOC institutions, each parolee is reviewed to determine if they arrived with a form of identification and documentation of employment training/job readiness while incarcerated.

Once under field supervision, each parolee who does not have verifiable employment is referred to the respective NJ Department of Labor ONE STOP CENTER for registration and to avail themselves of the full range of support services they provide including their staff trained in the handling of offender referrals. The local field offices also utilize our contractor Day Reporting Centers to provide individualized job readiness skills training, assessments and referrals.

SPB has developed a centralized data bank of employers statewide that have a history of hiring offenders. In addition, our agency participates in and helps to

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promote regional and local job fairs that include employment for offenders. Our contracted community based residential programs conduct employment assessment, job readiness/skills training, resume writing and mock interviews within their programs, as well as allow for job referrals and work release with financial planning classes to help retain earnings.

Through a grant from the Federal Governments' Volunteers in Service to America program, (VISTA), we have 14 VISTA volunteers working on behalf of our parolees to uncover employment opportunities in Trenton, Camden and Newark. In conjunction with this initiative, NJSPB developed and published a brochure for distribution to all parolees and employers that highlights significant benefits given to employers to hire offender such as the free Federal Bonding and the Work Opportunity Tax Credit programs.

As part of our Community Partnerships initiative, local employment task forces have been established in Atlantic City, Jersey City, and Cranford. Community Reentry taskforces established in Toms' River and Vineland are also involved with employment issues.

Most recently, we have partnered with the NJ Institute for Social Justice in a Transitional Jobs program in Essex County, and have are working with the City of Newark administration to develop an offender employment program through their Mayor's Office of Employment and Training.

17. The FY 2008 budget recommends \$6.613 million for the Sex Offender Management Unit to support 3,500 program participants who were placed under Community Supervision for Life. In FY 2007, the Parole Board received \$5.624 million to fund the same number of participants in FY 2007. (FY 2007 Budget recommendation page D-79).

*Question:* What program changes have been implemented that necessitate a \$1 million increase in appropriation to support the same number of participants for this program in FY 2008?

**Answer:**

In response to the ongoing and persistent growth in the overall sex offender caseload, the SPB Division of Parole shifted a total of sixteen parole officer and supervisor positions to the Sex Offender Management Unit in an effort to assure proper management and supervision of this critical caseload. As a result of the mandatory and lifetime (minimum of fifteen years) supervision terms imposed on these offenders by statute, the total sex offender caseload continues to grow at the

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rate of twenty five offenders per month, even as some cases are removed due to death or return to custody. Given that the minimum supervision term for these offenders is fifteen years, none of them will be eligible to have their supervision terms reviewed for discharge until calendar year 2020. Therefore, unabated growth is expected in our overall sex offender caseload, where assigned caseloads already exceed the preferred standard of thirty five to forty cases per parole officer. Even following the transfer of officers to the Sex Offender Management Unit, some parole officers are supervising caseloads of fifty-five to sixty six offenders.

In FY 2007 salary costs of the shifted officers are being supported through reimbursements between accounts. For FY 2008, the SPB is requesting formal realignment of these positions with the proper appropriation. The 2008 budget includes 73 SOMU positions (including 2 civilians).